

in the fact that we have had the honor and the privilege of having become acquainted with him, having seen him at work, and having witnessed the many contributions which he has made to the welfare of his State and his country.

Mr. LENNON. Mr. President, I shall not detain the Senate long. I rise only to express my sincere appreciation for the gracious and kind remarks of my colleagues. I should like to have all the Members of the Senate know that I am grateful for the many kindnesses and courtesies which they have extended to me both on committees and on the Senate floor. I also want all Senators to know that I consider my experience in the Senate to be, and I shall always so consider it, the greatest experience in my life, because of the wonderful relationships I have had with the Members of this body, the United States Senate.

POSTPONEMENT OF HEARINGS ON CONFIRMATION OF NOMINATIONS TO THE ATOMIC ENERGY COMMISSION

Mr. HICKENLOOPER. Mr. President, I should like to announce, so that it may be in the RECORD for all interested to read, that the hearings on the matter of confirmation of nominations to the Atomic Energy Commission will be postponed, because of the adjournment of the Senate, until a later date, either prior to or during the Senate sessions. Since many Senators are leaving Washington, there will not be a quorum available, so the meeting will be postponed until a future time.

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. JOHNSON of Texas. My understanding is that no nominations can be reported by a committee during a recess or an adjournment of the Senate. Is my understanding correct?

The PRESIDING OFFICER. Not without the permission of the Senate.

Mr. JOHNSON of Texas. I thank the Presiding Officer.

ADJOURNMENT UNTIL NOVEMBER 29, 1954

Mr. KNOWLAND. Mr. President, pursuant to the resolution just agreed to, I now move that the Senate stand adjourned.

The motion was agreed to; and (at 6 o'clock and 5 minutes p. m.) the Senate adjourned, the adjournment being, under the terms of Senate Resolution 331, to November 29, 1954, at 12 o'clock meridian.

SENATE

MONDAY, NOVEMBER 29, 1954

Rev. F. Norman Van Brunt, associate pastor, Foundry Methodist Church, Washington, D. C., offered the following prayer:

Almighty and Eternal God, in whom there is no variableness neither shadow

of turning, we, the sons of time and place, are buffeted about in the stress and strain of life. Help us to know Thee as the polar star by which we may direct our aims and attitudes, that our highest hope may be to do justly, to love mercy and to walk humbly with Thee. Amen.

THE JOURNAL

On request of Mr. KNOWLAND, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, November 18, 1954, was dispensed with.

LEAVE OF ABSENCE

On request of Mr. CLEMENTS, and by unanimous consent, because of illness in his family, Mr. ANDERSON was excused from attendance on the sessions of the Senate for the next few days.

ORDER FOR ADMINISTRATION OF OATH TO NEW SENATORS AND TRANSACTION OF ROUTINE BUSINESS

Mr. KNOWLAND. Mr. President, I ask unanimous consent that immediately following the quorum call the oath of office may be administered to new Senators and then that there may be the customary morning hour for the transaction of routine business, under the usual 2-minute limitation on speeches.

The PRESIDENT pro tempore. Without objection, it is so ordered.

CALL OF THE ROLL

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Abel	Fulbright	Martin
Barrett	George	McCarthy
Beall	Gillette	McClellan
Bennett	Goldwater	Millikin
Bridges	Green	Monroney
Brown	Hayden	Mundt
Butler	Hendrickson	Murray
Byrd	Hennings	Neely
Carlson	Hickenlooper	Payne
Case	Holland	Purtell
Chavez	Hruska	Robertson
Clements	Ives	Russell
Cooper	Jenner	Saltonstall
Cordon	Johnson, Colo.	Smith, Maine
Cotton	Johnson, Tex.	Smith, N. J.
Crippa	Johnston, S. C.	Sparkman
Daniel, S. C.	Kerr	Stennis
Dirksen	Kilgore	Symington
Duff	Knowland	Thye
Ellender	Kuchel	Watkins
Ervin	Lehman	Welker
Ferguson	Long	Williams
Flanders	Magnuson	Young
Frear	Mansfield	

Mr. SALTONSTALL. I announce that the Senator from Ohio [Mr. BRICKER], the senior Senator from Indiana [Mr. CAPEHART], and the senior Senator from Wisconsin [Mr. WILEY] are absent by leave of the Senate on official business.

The Senator from Vermont [Mr. AIKEN], the Senator from North Dakota [Mr. LANGER], and the Senator from Nevada [Mr. MALONE] are absent on official business.

The Senator from Connecticut [Mr. BUSH], the Senator from Idaho [Mr. DWORSHAK], the Senator from Michigan [Mr. POTTER], and the Senator from Kansas [Mr. SCHOEPEL] are necessarily absent.

Mr. CLEMENTS. I announce that the Senator from New Mexico [Mr. ANDERSON] is absent by leave of the Senate because of illness in his family.

The Senator from Ohio [Mr. BURKE], the Senator from Texas [Mr. DANIEL], the Senator from Mississippi [Mr. EASTLAND], the Senator from Alabama [Mr. HILL], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Washington [Mr. JACKSON], the Senator from Tennessee [Mr. KEFAUVER], and the Senator from Rhode Island [Mr. PASTORE] are absent on official business.

The Senator from Illinois [Mr. DOUGLAS] is necessarily absent.

The Senator from Tennessee [Mr. GORE] and the Senator from Florida [Mr. SMATHERS] are absent by leave of the Senate on official business.

The Senator from Massachusetts [Mr. KENNEDY] is absent by leave of the Senate because of illness.

The Senator from Oregon [Mr. MORSE] is necessarily absent.

The PRESIDENT pro tempore. A quorum is present.

CREDENTIALS OF SENATORS FROM NORTH CAROLINA

The PRESIDENT pro tempore laid before the Senate the credentials of SAM J. ERVIN, JR., duly chosen by the qualified electors of the State of North Carolina a Senator for that State for the term ending January 3, 1957, which were read and ordered to be filed, as follows:

STATE OF NORTH CAROLINA,
DEPARTMENT OF STATE.

I, Thad Eure, secretary of state of the State of North Carolina, do hereby certify that the State board of elections met on Tuesday the 23d day of November A. D. 1954, in accordance with chapter 163 of the General Statutes of North Carolina, at which time the board did open, canvass, and judicially determine the returns of the votes cast in the election held on Tuesday, November 2, 1954, and certified to me that SAM J. ERVIN, JR., was duly elected United States Senator from North Carolina. (Term ending January 3, 1957.)

In witness whereof, I have hereunto set my hand and affixed my official seal.

Done in office at Raleigh, this the 23d day of November 1954.

[SEAL]

THAD EURE,
Secretary of State.

The PRESIDENT pro tempore laid before the Senate the credentials of W. KERR SCOTT, duly chosen by the qualified electors of the State of North Carolina a Senator for that State for the short term ending January 3, 1955, which were read and ordered to be filed, as follows:

STATE OF NORTH CAROLINA,
DEPARTMENT OF STATE.

I, Thad Eure, secretary of state of the State of North Carolina, do hereby certify that the State board of elections met on Tuesday, the 23d day of November, A. D. 1954, in accordance with chapter 163 of the General Statutes of North Carolina, at which time the board did open, canvass, and judicially determine the returns of the votes cast

in the election held on Tuesday, November 2, 1954, and certified to me that W. KERR SCOTT was duly elected United States Senator from North Carolina. (Short term ending January 3, 1955.)

In witness whereof, I have hereunto set my hand and affixed my official seal.

Done in office at Raleigh, this the 23d day of November 1954.

[SEAL]

THAD EURE,
Secretary of State.

ADMINISTRATION OF OATH

Mr. JOHNSON of Texas. Mr. President, the Senators-elect are present and desire to take the oath of office.

The PRESIDENT pro tempore. If the Senators-elect will present themselves at the desk, the oath of office will be administered.

Mr. ERVIN and Mr. SCOTT, escorted by Mr. JOHNSON of Texas, advanced to the desk; and the oath of office prescribed by law was administered to them by the President pro tempore.

[Applause on the floor and in the galleries.]

The PRESIDENT pro tempore. The Senators-elect will subscribe to the oath in the official oath book of the Senate.

The Senators-elect thereupon subscribed to the oath in the official oath book.

THE LATE SENATOR McCARRAN— RESOLUTION OF BOARD OF TRUSTEES, NATIONAL SOCIETY OF SONS OF THE AMERICAN REVOLUTION, WASHINGTON, D. C.

Mr. JENNER. Mr. President, I ask unanimous consent to have printed in the RECORD a resolution adopted by the board of trustees of the National Society of the Sons of the American Revolution, October 16, 1954, in tribute to the late Senator Patrick A. McCarran.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION ADOPTED BY THE BOARD OF TRUSTEES OF THE NATIONAL SOCIETY OF THE SONS OF THE AMERICAN REVOLUTION, OCTOBER 16, 1954

Whereas it has pleased Almighty God, the Supreme Commander, to summon to His immortal army the beloved Senator Patrick A. McCarran who served his country in the Halls of Congress, 1933 to 1954; and

Whereas we bow to the will of divine providence, while ever cherishing in our hearts the memory of his distinguished contributions to our Nation as: Established the Civil Aeronautics Authority, 1938; author Internal Security Act, 1950; cosponsor of the McCarran-Walter immigration bill, 1952; member and chairman of the Subcommittee To Investigate the Administration of the Internal Security Act of the Committee on Judiciary of United States Senate; and contributor to other Federal legislation and congressional committees: Now, therefore, be it

Resolved, That the board of trustees of the National Society of the Sons of the American Revolution in regular meeting assembled on this 16th day of October and in the year of our Lord 1954 mourns the passing, September 28, 1954, of the Honorable Patrick A. McCarran and in token of our common grief and our country's great loss prayerfully stand with bowed heads in his honor; and be it further

Resolved, That copies of this resolution expressing our affections and deep sympathy be presented to his family, and to the chair-

man of the Subcommittee of Internal Security of the Committee on Judiciary of the United States Senate and respectfully request the recording of the resolution in the CONGRESSIONAL RECORD.

MISTREATMENT OF AMERICAN MILITARY AND CIVILIAN PERSONNEL BY CHINESE COMMUNISTS

Mr. KNOWLAND. Mr. President, at least 11 men wearing the uniform of our country's armed services have been sentenced to prison in Communist China for periods of from 4 to 10 years. Two civilians were sentenced on November 23, 1 for life and the other for 20 years.

This is not all. Twenty-six American civilians have been in Communist jails for periods going back to 1950 and 1951. Many of them have never even had any semblance of a trial.

That is not all. How many of the men who are listed as missing in action are, in fact, either in Communist jails or in slave-labor camps we do not know.

What are we going to do about it? What is the free world going to do about it? I do not believe that the Communists will be impressed with merely another note.

Mr. President, I ask unanimous consent to have printed in the RECORD the names of the 26 American civilians who are in Communist prisons, together with the list of our military personnel who have just been sentenced to terms of from 4 to 10 years, as well as the names of the 2 civilians sentenced on November 23.

There being no objection, the lists were ordered to be printed in the RECORD, as follows:

CIVILIAN UNITED STATES CITIZENS IN PRISON IN COMMUNIST CHINA

1. Malcolm Bersohn, July 1951.
2. Homer B. Bradshaw, 1951.
3. Mrs. Homer B. Bradshaw, 1951.
4. Lawrence R. Buol, January 1950.
5. John W. Clifford.
6. Justin Garvey.
7. Fulgence Gross, January 1951.
8. John A. Houle.
9. Dilmas T. Kanady, April 1951.
10. Levi A. Lovegren, January 1951.
11. Paul Mackinsen.
12. Robert McCann, June 1951.
13. Charles J. McCarthy.
14. Joseph P. McCormick.
15. Dorothy Middleton, April 1951.
16. Harriet Mills, July 1951.
17. Sarah Perkins, March 1951.
18. Thomas L. Phillips.
19. Ambrose Pinger, August 1951.
20. Armand Proulx.
21. Hugh Francis Redmond, April 1951.
22. Walter A. Rickett, July 1951.
23. Mrs. Walter Rickett.
24. Harold M. Rigner.
25. John P. Wagner.
26. Marcellus White.

AIR FORCE AMERICANS IN COMMUNIST PRISONS

SENTENCES

- Col. John K. Arnold, 10 years.
Maj. William H. Baumer, 8 years.
Capt. Elmer F. Llewellyn, 5 years.
Capt. Eugene J. Vaadl, 6 years.
First Lt. Wallace L. Brown, 5 years.
First Lt. John W. Buck, 4 years.
T. Sgt. Howard W. Brown, 4 years.
A1c. Steve E. Kiba, 4 years.
A2c. Daniel C. Schmidt, 4 years.
A2c. John W. Thompson III, 4 years.
A2c. Harry M. Benjamin, 4 years.

CIVILIANS SENTENCED NOVEMBER 23

John T. Downey, life.
Richard G. Fecteau, 20 years.

THE MARINE CORPS AND THE CHIEF OF NAVAL OPERATIONS

Mr. MANSFIELD. Mr. President, on November 19, 1954, I received a letter from Mr. Thomas F. Gates, Jr., Under Secretary of the Navy, relative to the status of the Marine Corps, which I ask unanimous consent to have incorporated in the RECORD at this point, in accordance with the wishes of the Under Secretary of the Navy. I make that request, and also ask unanimous consent that my reply to Mr. Gates, dated November 23, 1954, be printed in the RECORD at this point.

There being no objection, the correspondence was ordered to be printed in the RECORD, as follows:

THE UNDER SECRETARY OF THE NAVY,

Washington, D. C., November 19, 1954.

HON. MIKE MANSFIELD,
United States Senate,

Washington, D. C.,

DEAR SENATOR: On reading the remarks which you made for the information of the Senate in connection with matters pertaining to the relationship between the Chief of Naval Operations and the Commandant of the Marine Corps, I am prompted to add to my letter of November 16. And also, for this reason, I would appreciate it if you would include this additional information in the CONGRESSIONAL RECORD.

I feel that you should be advised that there has been no attempt made on the part of the Chief of Naval Operations to in any way affect or change the statutory responsibilities of the Chief of Naval Operations and the Commandant of the Marine Corps with respect to the Joint Chiefs of Staff. Nor has there been any attempt on the part of anyone to change the direct relationship which exists between the Commandant of the Marine Corps and the Secretary of the Navy.

The Chief of Naval Operations has never questioned the legality or the propriety of these arrangements, and the inference that there is an attempt to challenge the law or to in some way subordinate the Marine Corps is unfounded. For this reason I would appreciate this being understood and clarified.

As you know, the development of a detailed general order in which the respective tasks and relationships within the Department of the Navy are outlined is a complicated matter. It can best be resolved by taking the time to properly review and consider how these duties and relationships are to be stated and how they will best work for the good of the whole. Work on this did not actively commence until this fall. It is for these reasons that General Order No. 5 has been delayed, although a draft is now in what I trust will be its final form.

I am sure that you will be satisfied that the general order, when issued, will properly reflect the policy directive of April 7, and will in no way violate the principles that have been heretofore clearly established. Furthermore, the situation is far from out of hand and is under the proper control of the Secretary.

Secretary Thomas will return to Washington this weekend, at which time I will show him this correspondence.

Promptly after his return, I expect he will approve a final draft of General Order No. 5 on which we have been working, and will be in a position to advise you of its contents.

Sincerely,

THOMAS S. GATES, Jr.

NOVEMBER 23, 1954.

HON. THOMAS S. GATES, JR.,
Under Secretary of the Navy,

Navy Department.

DEAR MR. SECRETARY: Your letter, containing your observations on my remarks in the CONGRESSIONAL RECORD of November 17, 1954, has been received. I was glad to note your assurances to the effect that press reports as to efforts on the part of the Chief of Naval Operations to gain an element of control over the Marine Corps or subordinate its Commandant are inaccurate and that the apprehensions expressed in the matter by certain Members of Congress are unfounded.

Specifically, I was very pleased to be advised by you that "there has been no attempt made on the part of the Chief of Naval Operations to in any way affect or change the statutory responsibilities of the Chief of Naval Operations and the Commandant of the Marine Corps with respect to the Joint Chiefs of Staff. Nor has there been any attempt on the part of anyone to change the direct relationship which exists between the Commandant of the Marine Corps and the Secretary of the Navy." Also, it was reassuring to be informed that the Chief of Naval Operations has never questioned the legality or propriety of the Marine Commandant's relationship to the Joint Chiefs of Staff and to the Secretary of the Navy and that the inference is unfounded that there is an attempt to challenge the provisions or the intent of the law or in some way subordinate the Marine Corps.

I am in thorough accord with your expressed desire that the matter be understood and clarified, and I would be most happy to include your letter of November 19, 1954, in the CONGRESSIONAL RECORD. I note with considerable interest your reference in the last paragraph of your letter to the fact that a final draft of General Order No. 5 has been prepared. I hope that Secretary Thomas will, upon his return to Washington, approve in accordance with your expectations, the final draft of General Order No. 5. I would also appreciate receiving a copy of that document so it may be included, with your letter of November 19, in the CONGRESSIONAL RECORD.

I wish to thank you again for your reassuring letter, and I am confident that you will agree with me that this requested general order will be of considerable interest to Members of Congress and will be effective in clarifying this matter which has been a source of such widespread concern.

With best personal wishes, I am,

Sincerely yours,

MIKE MANSFIELD.

FREEDOM, INDEPENDENCE, AND SELF-DETERMINATION: THE KEY TO PEACE IN ASIA

Mr. SMITH of New Jersey. Mr. President, I have been serving as one of the official delegates of the United States to the United Nations during the sessions of the Assembly this year. I mention that fact because I may feel constrained to ask leave of the Senate to attend the sessions of the United Nations tomorrow and on Wednesday, particularly because I have been assigned within the United States delegation the responsibility of handling the Korean resolution, which is a matter of first importance.

I mention that fact also to indicate the scope of the problems which I have been considering in the light of the tragic world events which are constantly occurring.

I am concerned, as all of us are, with the imprisonment in Red China of some

of our American citizens. Both as a member of the United States delegation to the United Nations and as a member of the Committee on Foreign Relations, I am conferring with the administration and specifically with the Department of State with regard to the most effective way of dealing with that tragic situation.

I shall not go into this problem in more detail at this time, except to express my profound concern over it. However, I wish to ask unanimous consent to have published in the RECORD at the conclusion of my remarks an article which I recently prepared at the request of the International News Service entitled "Freedom, Independence, and Self-Determination: The Key to Peace in Asia."

I may say also that we are being attacked from all sides because of our insistence that the Red Chinese government be not recognized in the United Nations. I emphasize in my article that what we are doing today is entirely consistent with our policy of over 50 years with regard to a free and independent China.

I quote a few paragraphs from the article:

The overriding policy of the United States for over half a century has been that the key to peace in Asia is the attainment of freedom and independence from external controls for the people of that vast continent, including the people of China. The key to a free and independent Asia is a free and independent China. In a sense this was the true meaning of John Hay's open-door policy. On July 3, 1900, Secretary of State Hay, greatly disturbed by the implications of the Boxer Rebellion, sent a circular note to the interested powers, declaring that the "policy of the Government of the United States is to seek a solution" which may "preserve Chinese territorial and administrative entity."

Several years later this same attitude was expressed in the Root-Takahira agreement with Japan, which provided that both powers uphold the open door in China and support by pacific means the "independence and integrity of China * * *."

Again the United States emphasized this traditional policy toward China after Japan presented to the Chinese Government in 1915 the famous 21 demands. The Secretary of State, William Jennings Bryan, sent a note to Japan, in which he declared that the United States " * * * cannot recognize any agreement or undertaking * * * impairing * * * the political or territorial integrity of the Republic of China."

I then cite other historical incidents along the same line. Then I add:

This is the real background to our present policy toward Red China. History shows that we have been consistent in our concern for a free and independent China. Today it is Soviet Russia, instead of Japan, which has moved in to control China. There is very little difference in our present attitude toward Red China and the policy expressed by Stimson toward Japan. As we refused to recognize Japanese claims to Chinese soil, so we now refuse to recognize the Communist infiltration in that same country.

Today Red China is a satellite of Moscow, taken over by Red conquest and insidious infiltration, in a fashion similar to the Soviet absorption of Poland, Czechoslovakia, Hungary, and Rumania.

Recognition of the Communist conquest of China and admission of Red China to the United Nations would be a reversal of all that we have worked for in the Far East since the days of John Hay.

I make the further observation that the crisis we face in trying to work out a solution of the Korean situation is closely related to the situation of our boys being imprisoned in Red China.

I reiterate my announcement that I shall do everything within my power to back up the administration in finding the right kind of solution to the problem looking toward having our boys released promptly.

I recall that a great President once said: "Perdicaris alive, or Raisuli dead." Perdicaris came back alive. I leave that thought with my colleagues, because in these critical days we must give serious consideration to this problem and we must back up the administration in the firmest position it can take with regard to it.

The PRESIDING OFFICER (Mr. DIRKSEN in the chair). Is there objection to the request of the Senator from New Jersey?

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FREEDOM, INDEPENDENCE, AND SELF-DETERMINATION: THE KEY TO PEACE IN ASIA

The people of Asia, and especially those in Southeast Asia, are going through a period of great transformation. For a relatively long time they have dreamed of achieving freedom, independence, and self-determination. But only within the last 10 years has there been real progress toward transforming that dream into a reality in Southeast Asia. For the first time the populace of these ancient eastern lands sees the attainment of these goals within sight. Since the end of World War II, we have seen in Burma, Indonesia, India, Korea, Indochina, and elsewhere a shift from colonial rule to self-rule. But the long history of colonialism and of "white rule" is still very fresh in the minds of all Asians. We in the West must still deal with this lingering suspicion and must get across to the people of Asia that throughout our history we have led the opposition to imperialism and colonialism and that our policy remains unchanged.

The overriding policy of the United States for over half a century has been that the key to peace in Asia is the attainment of freedom and independence from external controls for the people of that vast continent, including the people of China. The key to a free and independent Asia is a free and independent China. In a sense this was the true meaning of John Hay's open-door policy. On July 3, 1900, Secretary of State Hay, greatly disturbed by the implications of the Boxer Rebellion, sent a circular note to the interested powers, declaring that the policy of the Government of the United States is to seek a solution which may preserve Chinese territorial and administrative entity.

Several years later this same attitude was expressed in the Root-Takahira agreement with Japan, which provided that both powers uphold the open door in China and support by pacific means the independence and integrity of China.

Again, the United States emphasized this traditional policy toward China after Japan presented to the Chinese Government in 1915 the famous 21 demands. Secretary of State, William Jennings Bryan sent a note to Japan in which he declared that the United States " * * * cannot recognize any agreement or undertaking * * * impairing * * * the political or territorial integrity of the Republic of China. * * * " American opposition to Japanese expansion on the Asian Continent continued to grow until the Washington Conference of 1921, which resulted in further agreement to respect China's sovereignty and

independence, and in temporary retreat by Japan all along the line.

And finally, in 1932, as a result of the overrunning of Manchuria by Japan, Secretary of State Stimson sent notes to China and Japan, expressing what became known as the policy of nonrecognition directed specifically at Japanese expansion in China.

This is the real background to our present policy toward Red China. History shows that we have been consistent in our concern for a free and independent China. Today it is Soviet Russia, instead of Japan, which has moved in to control China. There is very little difference in our present attitude toward Red China and the policy expressed by Stimson toward Japan. As we refused to recognize Japanese claims to Chinese soil, so we now refuse to recognize the Communist infiltration of that same country.

Today Red China is a satellite of Moscow, taken over by Red conquest and insidious infiltration, in a fashion similar to the Soviet absorption of Poland, Czechoslovakia, Hungary, and Rumania.

Recognition of the Communist conquest of China and admission of Red China to the United Nations would be a reversal of all that we have worked for in the Far East since the days of John Hay.

But nonrecognition of Communist China coupled with an attack in depth on the misunderstanding among Asian peoples concerning the position of the United States on colonialism wherever it may be found are not enough. A vigorous effort must be made to snatch away the false face of liberation which has been assumed by communism in Asia. The passionate desire of the people of Asia for freedom and self-rule has so blinded them as to permit considerable success in the Soviet practice of this deception. We must tear away the papier mache facade of Communist protection and reveal to the great masses of people in all these countries the brutal and tyrannical colonialism which it covers up.

The Manila Pact and accompanying Pacific Charter are major strides in the right direction toward improving the prospects for negotiating from strength. However, words must be backed with action. We must show conclusively not only that we offer freedom as an alternative to communism, but that the freedom we offer will be accompanied by a better life of real prosperity and progress which respects the dignity of each individual. Promising avenues along which we can pursue this goal are a stepped-up program of bilateral and multilateral (United Nations) technical assistance, accompanied by a hard-hitting information program, and a greatly expanded plan for student exchange to the end that institutions of freedom may be studied firsthand. One has only to talk with the leaders of the free nations in the Far East to realize how highly effective an idea can be when translated and applied with boldness and imagination.

For many centuries the greatest cultural and political influence in the east stemmed from China. China has always been the key to the history of that whole area. Today, as in the past, the key to a free and independent Asia is a free and independent China. American policy has recognized this political fact for over half a century. We must continue to recognize it. This country of ours has come a long way on the ideals which are the foundation of our very existence. The American dream which caught the imagination of men everywhere 180 years ago is still only a dream for millions of people.

We have the opportunity out of our own experiences to inspire and fire the imaginations of those who strive to make this great dream a reality.

SHOPPING ON THE SABBATH

Mr. MONRONEY. Mr. President, I wish to call to the attention of the Members of the Senate four full-page advertisements which appeared in a Washington newspaper on Sunday. The first one reads:

Sunday sale. Today. Save! Save! 9 a. m. to 5 p. m.

Another advertisement reads:

Today—Sunday—11 a. m. to 7 p. m. at our warehouse.

Another reads:

Starts today Sunday! Six hours. 11 a. m. to 5 p. m.

Another advertisement reads:

Today Sunday! 8 a. m. to 6 p. m.

Mr. President, I am becoming very apprehensive about the growing tendency illustrated by these full-page ads to turn the Sabbath into a bargain shopping day in the Nation's Capital.

Since the founding of this Nation, the Sabbath has been a day of rest, of worship, of family association, and of outdoor recreation. I am not asking for "blue laws" or the stern austerity with which observance of the Sabbath has in times been enforced by laws. But the violation of the Sabbath in the Nation's Capital as a purely bargain shopping day has been growing and now threatens to turn Washington into a "Bagdad on the Potomac."

There is no urgency or need for these "bargain days" which are here advertised. There is no compelling reason, except to get the jump on other business houses who choose to observe the Nation's religious habits of honoring Sunday as a day of religious observance, of rest, and recreation.

If this practice by a few prevails it can establish a very distinctive merchandising pattern which, because it is accepted in the Nation's Capital, could spread to make Sunday a bargain shopping day throughout the 48 States.

Employees in Washington are given ample time to pursue their merchandising needs throughout the week. With a 40-hour week prevailing in almost every department of Government, and with practically no industrial or other requirements making it necessary for unusual openings on Sunday, I feel that the Senate and the Board of Trade of Washington should concern itself with this growing habit. There is no law at the present time which can prevent it. However, if the habit, which is growing, cannot be prevented, I believe it is high time for the Committee on the District of Columbia to put the problem on its agenda for consideration in the new Congress.

Mr. JOHNSTON of South Carolina. Mr. President, I wish to commend the Senator from Oklahoma for calling to our attention the advertisements to which he has just referred concerning sales held on the Sabbath Day, which is commonly known as Sunday. I wish further to invite the attention of the Senate to the fact that it has always been true in the past that when a nation forgot God—and these business concerns are forgetting God when they fail to

recognize the Sabbath Day—it has been only a short time until that nation has been destroyed. We in America must look to God for guidance and help instead of looking to material things. Our defenses will be of no use unless we are a God-fearing people.

RESOLUTION OF CENSURE

The Senate resumed the consideration of the resolution (S. J. Res. 301) to censure the junior Senator from Wisconsin.

Mr. KNOWLAND. Mr. President, I have had this morning some discussions with the minority leader relative to our general program for this week. Of course, whatever recommendations are made are subject to the approval and decision of the Senate itself, but at least, tentatively, it has been my view that for today, for example, we will remain in session until approximately 6 or 6:30 o'clock this evening; that tomorrow morning we would resume at 10 o'clock and continue until 6 or 6:30 in the afternoon, taking off, at approximately 1 o'clock, a 1-hour lunch period.

I have not had the opportunity to check with all the Senators on this side of the aisle who may be interested in the pending matter, including the members of the select committee and some of those who are carrying on the debate on both sides, in favor of or opposed to the resolution and such amendments as may be presented. During the course of the afternoon I shall do that, but I desired to acquaint the Senate with the tentative plan which I had in mind.

Mr. BENNETT. Mr. President, on November 16 I announced to the Senate my intention of offering an amendment to Senate Resolution 301, adding a new section condemning certain actions taken by the junior Senator from Wisconsin [Mr. MCCARTHY] and certain language used by him in referring to the Senate, to the select committee, and to its chairman, my colleague the senior Senator from Utah [Mr. WATKINS]. This language includes some remarks made off the floor, and, since no one has challenged their accuracy, I am assuming that they have been truthfully reported.

I think our present deliberations would not be either conclusive or complete if these additional possible bases for censure were not carefully considered, since they seem to be logical extensions of, or parallels to, the two sections in the committee's recommendations, and therefore point to continuing actions which also might tend to bring the Senate into dishonor and disrepute.

Since under Senate rules action on my proposed amendment must follow that taken on the committee report, I shall not try to develop the case for it today. But I have prepared a preliminary statement and ask that it be printed in the body of the RECORD at the end of these remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR BENNETT

On November 10, as this special session began, the junior Senator from Utah made a short speech expressing his hopes that

our deliberations would be conducted in an impersonal, judicial atmosphere which would maintain and enhance the honor and dignity of the Senate. He certainly had no idea then that he would become involved in the subsequent developments as the author of an amendment extending the scope and area of potential censure. At the same time, he still stands on several positions taken in that opening statement:

First. The junior Senator from Utah still hopes that we can resolve the issues on the facts and not on personalities. He repeats what he said on June 10, "We are not here to pass judgment on a fellow Senator, but to try issues which involve a man whom we should impersonalize as 'Mr. X.'" On this point the Senator from Wisconsin seems to agree, because during the debate he has said many times, as he did on November 11 (CONGRESSIONAL RECORD, p. 15964), "As I have repeatedly said, I believe McCARTHY is completely unimportant in this issue." Therefore, the junior Senator from Utah hopes that we will consider the actions and language complained of apart from the man. Certainly he has no personal animosity.

Second. The junior Senator from Utah hoped then, and still hopes, that we can finally make our decision without having "to confuse the reported issues with extraneous and irrelevant matters, including the overall problem of communism." On this it is apparent that the two junior Senators from Utah and Wisconsin do not agree, since Senator McCARTHY has since accused the members of the select committee of being "unwitting handmaidens," "involuntary agents," and "attorneys in fact" of the Communist Party, and says that in writing its report the committee "imitated Communist methods." In considering the proposed amendment the Senate must decide whether the interjection of the Communist issue in such a form is censurable.

Third. The junior Senator from Utah expressed the fear that during these deliberations the same offenses with which the junior Senator from Wisconsin was charged would be repeated. The junior Senator from Utah is now persuaded that this may have actually happened, and that our work would be neither conclusive nor complete unless we considered the apparent extensions of and parallels to the committee report as they have developed since that report was issued.

The parallel between the attitude of Senator McCARTHY toward the Subcommittee on Privileges and Elections in the 82d Congress and his attitude toward the select committee of the 83d Congress is not complete, but it is strikingly similar. In the first instance he is charged with having refused to cooperate with the subcommittee and having attacked its authority and honor in the strongest language. In the second instance, he cooperated with the select committee until a committee print of its report had been released, and then attacked its authority and honor in similar language. His characterization of Senator WATKINS, chairman of the select committee, as "stupid" and "cowardly" has a ring strangely reminiscent of his earlier reference to Senator HENDRICKSON as being a man "with neither brains nor guts."

The question has been raised as to whether or not the 83d Congress can censure a Senator for actions and language occurring in the 82d Congress. But when the pattern is substantially repeated in the 83d, doesn't the problem of a "continuing Senate" largely disappear? And if it is worthy of censure in one case, isn't it worthy in the other?

Fourth. The junior Senator expressed the fear that we might conduct these deliberations in such a way that someone would show contempt for the committee.

Much has been made of the extent to which and the manner in which our present deliberations parallel the proceedings of a court of law. The junior Senator from Utah

needs hardly repeat again that he is not a lawyer, but he thinks he can see, in the actions and language covered by his amendment and occurring since the select committee issued its report, conditions which, if a court of law were involved, might well form the basis for charges of contempt. He is inclined to believe that this forms another parallel that may well stand up in this case. Since the facts are apparently undisputed, the Senate may properly act on his amendment without referring it to a committee, just as a court initiates, hears, and punishes its own contempt charges. When the debate on this amendment occurs, the junior Senator from Utah hopes to cite many authorities on this point.

Fifth. Briefly, in his earlier speech, the junior Senator from Utah touched on the question of possible effects on our freedom of speech here in the Senate. Since then, much has been made of this issue. It has been suggested that any action we take to censure a Senator for the use of what seems to be improper language is a telling blow to our liberty. The junior Senator from Utah is not impressed, because his concept of freedom is that it is basically a spiritual, rather than a literal, force. Only men who are capable of self-control can enjoy the blessings of freedom, and thus it can exist only in a high moral atmosphere. Being spiritual, any attempt to materialize it into specific rules weakens and may eventually destroy it. At the same time, at the other end of the scale, unbridled, immoral exploitation of freedom becomes anarchy. "The keys of liberty are not in the hands of license."

We are a selected handful of Americans, 96 out of 162 million, entrusted with a great responsibility. On the principle that where much is given much is expected, the American people are entitled to expect our standards of language and conduct always to be in good taste and far above any arbitrary minima.

Certainly, we need no Hays office or other form of censorship to set forth the words we may not use or the extent to which we may bare our rhetorical bosoms. Certainly, when necessary, we should feel that we have the power to discipline ourselves, or one of us, according to the then-existing conditions without thus fixing a precedent for all time.

Sixth. We have a responsibility to preserve the Senate from dishonor and disrepute and to enhance its dignity in the eyes of the American people and the world. In his speech on November 10, the junior Senator from Utah made a few observations on the general subject of dignity, which he will not repeat here. Instead, may he repeat the words of our beloved colleague, the dean of this body, spoken during the debate on the Bingham censure case. On page 5126 of the CONGRESSIONAL RECORD, volume 71, part 5, Senator WALTER F. GEORGE, of Georgia, said then, "The view I take of the question, Mr. President, is simply this: That the official act of each one of us has a public quality and that act is either in the interest of the public good or it is contrary to the interest of the public. It either promotes confidence in the processes of Government or it tends to weaken public confidence in the processes of Government." I think this applies with equal force to our present problem. Our obligation today is just as great.

It is for these six reasons, among many, that the junior Senator from Utah believes that we cannot conclude this unpleasant task without having considered the statements made over the past 6 weeks by the junior Senator from Wisconsin, about the select committee, some of its individual members, and about the Senate itself.

Certainly, we owe that to the members of the select committee. They did not seek their difficult job, but were literally drafted for it and performed their onerous task as an unrewarding duty. While some of the

Senators may not agree with the recommendations they made, we should respect them for their service to the Senate. Certainly, their only reward should not be public ridicule and personal castigation. Nor should the Senate itself be similarly treated because it has met to consider the committee report.

It is the feeling of the junior Senator from Utah that any actions taken or language used which might create this unhappy effect should be considered as a part of these deliberations, in order that our final action may be conclusive and complete. It is for this purpose that the proposed amendment is being introduced.

Mr. BENNETT. Mr. President, I send to the desk a proposed amendment to Senate Resolution 301, and ask that it be printed and lie on the table.

The PRESIDENT pro tempore. The amendment will be printed and will lie on the table.

Mr. McCARTHY. Mr. President, I wish to make it clear, first of all, that what I am about to do is not to be taken as any compromise on my part, with the principles I have held and which I still hold. It does not constitute, directly or indirectly, any lessening of my determination in the fight against communism, in or out of government.

I have had disagreements of fact and opinion with Members of the Senate and I have disapproved of, and criticized the conduct of certain senatorial committees, which is the right, and the responsibility of every Senator if his conscience so dictates. For this I have no apologies.

The efforts to expose communism have engendered deep bitterness and heat on both sides. I know—perhaps better than any other Member of the Senate—what it is to suffer abuse, heaped upon me to the point of exhaustion. I would be the last, therefore, to deliberately administer abuse to anyone else.

During the past 10 days of confinement—painful days, I may say—there has been time for contemplation, and careful analysis of the charges that have been made against me.

They boil down simply to the accusation that I have used discourteous and offensive words—words that have injured the sensibilities of some of my colleagues. I admit that at times I have been extremely blunt in expressing my opinions. I do not claim to be a master of words.

This being true, I say to those who feel they have been offended, that I had no intention in the words that were used of hurting the feelings of anyone; but in the facts and opinions that I held, I am unchanged. Like my colleagues, I am not without weaknesses. Like them, I make mistakes; and however I may strive otherwise, I suppose I shall make others in the future.

I yield to none of my colleagues, however, in my ideals, my principles, my integrity, or my prayerful devotion to this great Nation I am privileged to try to serve. I am distressed that for 10 months, the attention of the Senate has been too greatly monopolized by the clamor and controversy over one Senator—JOE McCARTHY.

It has been stated that the dignity of the Senate is involved. My greatest wish

is to help increase the dignity of the Senate, for the dignity of the Senate is of great importance.

Of even greater importance, however, is the honor, the safety, and the welfare of the Nation, and the security of its citizens, wherever they may be. And while the attention of the Senate has been largely concentrated on McCARTHY, the world Communist conspiracy has made dangerous and costly gains. Thirteen American airmen are in Communist Chinese prisons, for terms up to life imprisonment. Our planes are shot down by Communist violators. As of the moment, hundreds of G.I.'s are being "brainwashed" in bloodstained Communist dungeons. American citizens are held in the Iron Curtain prisons of Europe and Asia on trumped-up charges. In comparison to these, the merits or demerits of language of the junior Senator from Wisconsin are inconsequential in the extreme. In that view, I am certain my distinguished colleagues on both sides of the aisle will join me without reserve.

These times call for solidarity of purpose and of effort against common problems.

I came prepared for whatever action the Senate may take on this resolution of censure. My colleagues, I hope, realize the tremendous implications and recognize their responsibility to the future. For my part, my efforts to expose Communist infiltration in government will continue regardless of the outcome of the censure vote.

Therefore, Mr. President, in the interest of the overall national welfare, I suggest that no good can be achieved by continuing this debate.

I ask unanimous consent that the debate be terminated at 3 p. m., on Wednesday, and that votes on the resolution of censure and the amendments thereto or substitutes therefor be commenced at that time.

Mr. JENNER. Mr. President, reserving the right to object, what the junior Senator from Wisconsin has just stated is exactly and 100-percent correct. Events are taking place which are far more important than what has been going on in the Senate and in the Halls of Congress for the past several weeks and months.

I may say to the junior Senator from Wisconsin that I objected to a unanimous-consent agreement which was proposed by the junior Senator from Oregon [Mr. MORSE] on November 18, the last day when the Senate was in session. I used the junior Senator from Oregon as my authority for objecting, but the basis for my objection to the proposed unanimous-consent agreement to dispose of this matter was that the distinguished Senator from Oregon, who has always been so much opposed to unanimous-consent agreements, had proposed the unanimous-consent agreement when the junior Senator from Wisconsin was not on the floor, but was in the hospital, unable to protect and defend himself.

However, at this time, since the junior Senator from Wisconsin is present to speak for himself, I have no objection.

Mr. KNOWLAND. Mr. President, reserving the right to object, and I shall

not object, because I desire to see the pending question brought to a head and the matter resolved. I wonder if the distinguished junior Senator from Wisconsin would be willing to amplify his proposal that starting at 3 o'clock on Wednesday all the various amendments and the resolution itself shall come to a vote.

I think perhaps it will be necessary to provide for an allocation of time, and that matter could be worked out between the minority leader and the majority leader, so as to provide, for instance, one-half hour or 1 hour to a side on each amendment, the time to be equally divided, so that on new amendments which may be offered adequate time would be afforded for discussion.

Mr. McCARTHY. I think the Senator from California has made a good point. I wish to amend my proposed unanimous-consent request so as to provide that 1 hour be allocated to each side on any substitute or any amendment to the resolution.

The question then arises as to who shall be in control of the time. I would rather not control it myself. I am inclined to think that—

Mr. KNOWLAND. I suggest, at this point, that perhaps the junior Senator from Wisconsin might designate a Senator to control the time on his side of the question; or, perhaps, a Senator might be designated on this side of the aisle, and a Senator might be designated by the minority leader on the other side. I think it would be necessary to have the time controlled by individual Senators, who could then allocate the time.

Mr. JOHNSON of Texas. Mr. President, will the Senator from Wisconsin yield?

Mr. McCARTHY. I will yield in a moment.

I suggest that perhaps the distinguished senior Senator from Utah [Mr. WATKINS] might control the time on one side, and that the distinguished junior Senator from Idaho [Mr. WELKER], the distinguished Senator from Illinois [Mr. DIRKSEN], or some other Senator might control the time on the other side.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. McCARTHY. I yield.

Mr. KNOWLAND. I think the customary practice has been to have at least half of the time controlled on each side of the aisle. The minority leader normally has had control of half of the time, whenever there has been a situation of this kind, and has then allocated that time to Senators on his side of the aisle.

It may be that we shall need to discuss the matter a little further, but I feel certain that it will be possible to reach a satisfactory understanding.

Mr. McCARTHY. I suggest that the majority leader and the minority leader control the time. I am certain that they will do so fairly, so as to enable Senators on both sides of the question to be heard.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. McCARTHY. I yield.

Mr. JOHNSON of Texas. Is it the intention of the junior Senator from Wisconsin to have divided equally between the two sides all the time between now and Wednesday at 3 o'clock?

Mr. McCARTHY. My thought is that commencing at, say, 2 o'clock this afternoon we start dividing the time.

I frankly feel that we have discussed this question to the limit. I think there is no further light which can be shed upon it.

I may say to the able Senator from Texas that one of the reasons why I should like to see an end to this debate over words is, first, the seriousness of the world situation, as I have previously pointed out.

A second reason is that our investigating committee has a tremendous backlog of work. There are approximately—and I hate to use figures—42 fifth-amendment Communists who are working in defense plants as of this very moment. We are and have been receiving full cooperation from the security officers of these defense plants. But once they have been called before our subcommittee, and if they plead the fifth amendment, I feel confident that they will be immediately removed from any classified work on defense contracts.

I am extremely eager to get back to the work of my committee. We have been kept from that work for about 10 months. I dislike seeing this important work delayed unnecessarily during a repetitious debate extending over the next 2, 3, or 4 weeks.

I hope I have answered the question of the Senator from Texas.

Mr. JOHNSON of Texas. I have no desire to delay the junior Senator from Wisconsin and his committee in their very important work. Neither have I any objection to the proposed unanimous-consent agreement. As a matter of fact, I think it would be very desirable to have such an agreement, provided we understand what we are agreeing to, and provided also that each Senator be on notice with respect to the agreement which it is proposed to enter into.

First, I think it might be well for the majority leader to give consideration to an announcement in advance of entering into the proposed agreement, that he would not be disposed to recess the Senate even at 6:30 or 7 o'clock, as we had previously agreed upon, if Senators were present who desired to speak this evening and tomorrow evening.

It has been my purpose to see to it that the junior Senator from Wisconsin and Senators who supported his position were afforded every opportunity for the fullest expression of their views, and that the same opportunity be afforded to those who opposed the junior Senator from Wisconsin. I think the procedures which have been agreed upon heretofore have done that.

Therefore, I welcome the proposed unanimous-consent agreement, and I suggest that if the majority leader is to control half of the time and the minority leader is to control half of the time, the majority leader state, for the benefit of Members who desire to be heard, that the Senate will hold evening sessions on both Monday and Tuesday.

Mr. BENNETT. Mr. President, will the Senator yield?

Mr. McCARTHY. I yield.

Mr. BENNETT. I am delighted to hear the junior Senator from Wisconsin suggest a proposed unanimous-consent agreement, but I am a little puzzled as to its effect.

Is it the purpose of the Senator's request, under the limitation he proposes, that the total time between now and Wednesday at 3 p. m., be equally divided, without an actual limitation on the time of any one speaker, so that when we shall have reached the hour of 3 o'clock on Wednesday afternoon, we shall begin to vote? Or is it his intention that beginning at 2 o'clock this afternoon the control of the time with respect to amendments, substitutes, and resolutions shall begin, which might bring us to a vote at 5 o'clock this afternoon?

It seems to me there is a little area of possible misunderstanding in this situation, and I am anxious to have it straightened out.

Mr. JOHNSON of Texas. As the Senator from Texas understands the situation, the junior Senator from Wisconsin proposes that we proceed to vote on all amendments and on the resolution itself at 3 o'clock on Wednesday afternoon. That is a normal procedure.

Mr. BENNETT. That is correct.

Mr. JOHNSON of Texas. If Senators do not care to consume the time—and it is a little difficult for me to believe that they will not [laughter]—if they do not care to consume all the time between now and 3 o'clock on Wednesday afternoon, then I believe the majority leader will always be prepared to accommodate Senators and move a recess.

Mr. BENNETT. One thing which puzzled me was the reference to a specific period of an hour to a side. If we begin at 2 o'clock today to limit debate on the proposed amendments and substitutes—and thus far there is only one which has been offered; I understand that there will probably be two—we might conclude the matter by 6 o'clock tonight, which would be perfectly satisfactory to the junior Senator from Utah.

Mr. DIRKSEN. Mr. President, reserving the right to object, first let me say that since the select committee is really the proponent of the resolution, I believe it would be only fair that the chairman of the select committee be consulted in the matter, and that he have an opportunity to confer with the other members of the select committee.

Secondly, I may say to my good friend from Wisconsin that I believe the request—

Mr. McCARTHY. I am sorry, I missed the first part of the Senator's statement. I was talking to the able Senator from South Dakota.

Mr. DIRKSEN. My statement was that since officially the select committee is the proponent of the resolution now pending before the Senate, it ought to be consulted with respect to the continuity of the sessions, and as to how late the Senate shall sit. I do not believe there can be any objection to the request as made, except that it should be refined.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. DIRKSEN. I should like to continue for a moment so that I may complete my statement.

Unfortunately, the junior Senator from Illinois will have to be out of the city late tomorrow afternoon and Wednesday morning. Frankly, I have prepared some data and information which, in my feeble way, I shall want to impress upon the Senate in due time. I believe there should be some refinement of the unanimous-consent request, in order that provision may be made for a limitation of debate and a division of time with respect to any amendments or substitutes which may be offered. I would not want to undertake to address the Senate in my own time until I had offered my substitute, and that probably will be done after the limitation hour set for Wednesday at 3 o'clock.

Mr. President, still reserving the right to object, I believe we can afford to be liberal with respect to limitation of time on amendments and substitutes. I believe that on substitutes the Senate might agree to an hour and a half for each side. I shall strive for compression when I address the Senate. I sometimes have difficulty in achieving that goal. However, I think I shall want to have an hour and a half. I would not want to be limited otherwise.

My information is that, other than perfecting amendments which may be offered by the select committee, there is one amendment to be offered by the distinguished Senator from Utah [Mr. BENNETT], and a noncontroversial amendment, as I read it, to be offered jointly by the Senator from Colorado [Mr. JOHNSON] and the Senator from Virginia [Mr. BYRD].

With that information as a basis, I suppose the Senate can be reasonably liberal in allowing time to Senators to speak on amendments and substitutes, and still bring the present session to a close by the end of the week.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. McCARTHY. I may say to the Senator from Illinois that there is no objection to amending the unanimous-consent request to provide for an hour and a half for each side on any amendment or substitute. There is no objection whatsoever to such a provision.

Mr. KNOWLAND. Mr. President, I should like to have an opportunity to confer with the chairman of the select committee [Mr. WATKINS] respecting the time limitation. Acting jointly with the minority leader, I asked the Parliamentarian to try to draft the proposal into language, so that there might be read to the Senate precisely what the Senate is being asked to agree to. I am hopeful that the area of agreement may be embodied in that draft, so that a unanimous-consent agreement may be entered into early this afternoon.

I should like to confer with the distinguished Senator from Utah, the chairman of the select committee, in regard to the proposed time limitation. I may state that, as the minority leader has pointed out, if it is desired that certain Senators make speeches today rather than tomorrow or Wednesday, I would be prepared to ask that the

Senate sit a little later than the hour of 6 o'clock which had been contemplated. The same understanding would apply to tomorrow and the following day. We shall certainly try to accommodate Senators on both sides of the aisle who may desire to make remarks, and who would find it inconvenient to do so Tuesday or Wednesday.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. McCARTHY. I yield to the Senator from Utah.

Mr. WATKINS. Mr. President, reserving the right to object, the unanimous-consent request has come as somewhat of a surprise. I have not had an opportunity to consult with the members of the select committee. They are not all present on the floor at the moment. Personally I am very much in favor of having a unanimous-consent agreement, but I think the agreement ought to be worked out very carefully, so that in proceeding under such an arrangement all Senators will have adequate opportunity to say what they desire to say, and yet the Senate be enabled to come to a conclusion at the time which will be set in the unanimous-consent agreement. I think the request ought to be examined and worked on a little more today. I should like to consult with the members of the select committee. I do not know just how they feel about the request. I assume they would feel very much as I do, but I think, out of courtesy to them, the members of the committee ought to be given an opportunity, between now and 2 o'clock this afternoon, to consult with each other about the proposal.

Mr. KNOWLAND. Mr. President, will the Senator from Wisconsin yield?

Mr. McCARTHY. Before I yield I should like to ask the Senator from Utah [Mr. WATKINS] a question so we shall know what the understanding is. Does the Senator from Utah agree in principle with the idea of limitation of debate so that we can get back to other work? If so, I am sure we can work out the technicalities, the time limitation, and points of that kind.

Mr. WATKINS. I have already indicated I am agreeable to a unanimous-consent agreement. I think agreeing on a time limit is the right thing to do. However, I should like to have an opportunity to consult with the other members of the select committee so that we can know what the wishes of the members of the committee are respecting the request.

Mr. McCARTHY. When the Senator meets with the other members of the committee, there is one point I should like to have him take up with them. The suggestion has just been made to me by 2 able Senators that the time limit for speaking on substitutes be 2 hours for each side, and that the time limit on amendments be a half hour for each side. I wish the Senator would check with the other members of the select committee. I am not asking the Senator from Utah to commit himself here and now, but when he discusses the matter with the committee, I ask that he mention that suggestion to them, that there be allowed half an hour to each side on amendments, and 2 hours to each side on substitutes.

Mr. WATKINS. I shall be glad to discuss the suggestion with the members of the select committee.

Mr. JOHNSON of Texas. Mr. President, I should like clarification of what the junior Senator from Wisconsin is proposing. As I understand it, he proposes that beginning at 3 o'clock on Wednesday the time for debate shall be limited, under the control of the majority and the minority leaders, to 30 minutes for each side on amendments, and 2 hours for each side on substitutes. Is my understanding correct?

Mr. McCARTHY. The understanding of the Senator is correct.

Mr. KNOWLAND. Mr. President, we would have to include in the understanding, in the customary form, a provision regarding any motions which might be made. Such a provision would have to be included so that there might not be included language which would result in a change in the rules.

Mr. JOHNSON of Texas. Is what I have stated an accurate summary of the suggestion of the Senator from Wisconsin?

Mr. McCARTHY. Yes. I may say to the Senator that I am willing to agree to almost anything, so long as there is a cut-off time, and that the understanding is then followed. I think almost everything has been said that can be said, therefore, I think a half an hour is sufficient on any motion, except a motion to table.

Mr. WELKER. Mr. President, reserving the right to object—

Mr. KNOWLAND. Mr. President—

Mr. McCARTHY. Mr. President, I promised to yield to the Senator from Idaho. I should like to yield to him first.

Mr. WELKER. The question that enters my mind is as to the division of time. Who shall control the time? We have been told by the chairman of the select committee that Senators sit here as sole judges of the law and the facts. I am wondering if we shall not be putting the minority and the majority leaders in a tremendously embarrassing position if we enter into such an agreement as is proposed. It might be that the distinguished chairman of the select committee would want some time to speak, and that other Senators on this side of the aisle might desire some time. Since this is a supposedly bipartisan tribunal, I think we had better study the question of who is to control the time. I would not have any objection at all to having my distinguished friend, the senior Senator from Utah [Mr. WATKINS], or the proponents of the censure resolution, control the time on behalf of those who support the resolution, and another Senator, but not the junior Senator from Idaho, control the time on behalf of Senators in opposition to the censure resolution. If the Senate should enter into an agreement, I would want to be sure about its provisions, because I can foresee that the distinguished minority leader and the distinguished majority leader could be embarrassed when time to speak on the matter was requested.

Mr. WATKINS. Mr. President, reserving the right to object, it seems to me it would be well to have these matters

discussed by the select committee. The committee would like to meet and go over the suggestions made by the Senator from Wisconsin, as well as those made by other Senators. I have no desire to control the time at all, but I think if action on the request could be withheld until at least some time this afternoon, the committee could meet and consider the subject. However, I can say now I am certainly in agreement with the proposal that the Senate ought to impose a limitation on debate, and that a time for voting should be set.

Mr. HOLLAND, Mr. MUNDT, and other Senators addressed the Chair.

Mr. KNOWLAND. Mr. President—
Mr. McCARTHY. Mr. President, I am glad to yield. First, let me yield to the Senator from California.

Mr. KNOWLAND. Mr. President, I should like to say that, in view of the discussion, the majority leader and minority leader have requested the Parliamentarian to prepare a rough draft of the proposed unanimous-consent agreement, so we can have it in typewritten form. I shall then see that the chairman of the select committee, the distinguished senior Senator from Utah [Mr. WATKINS], the distinguished junior Senator from Wisconsin [Mr. McCARTHY], and all other Senators will have an opportunity to examine the draft of the proposed agreement and to consider the time elements involved, and the proposal in regard to what Senators would control the time. Furthermore, I would suggest that the Senate take a recess for luncheon, so as to permit all Senators to consider the proposed agreement; and it would be my suggestion to have the Senate return to the Chamber, following the recess, and at that time have a quorum call, before the unanimous-consent agreement is again proposed, so that all Senators would be on notice of it.

Let me say that it is not my intention to move that the Senate take a recess until all Senators have had a chance to discuss the matter further at this time.

Mr. MUNDT, Mr. HOLLAND, and other Senators addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield; and, if so, to whom?

Mr. McCARTHY. Mr. President, a number of Senators are on their feet, seeking to have me yield. I should like to yield to all of them before the motion for a recess is made.

First, I yield to the Senator from South Dakota.

Mr. MUNDT. I should like to ask a question regarding the plans for holding hearings on security risks in defense plants. Assuming that it will be possible to have the proposed unanimous-consent agreement entered into—and I certainly hope that will be possible—and that it will then be possible to complete by Wednesday night or Thursday the work of the Senate, insofar as the special session is concerned, is it the plan of the chairman of the committee then to remain in Washington and to stay on the job of investigating Communists in defense plants, and to do so on Friday and Saturday, and perhaps the following Monday and Tuesday, so that then we can return to our homes, rather than re-

turn to our homes following the end of the special session, and then have to come once more to Washington for another session of the committee?

Mr. McCARTHY. Mr. President, the question asked by the Senator from South Dakota is most apropos, and I am sorry I did not cover that point before.

As chairman of the permanent Subcommittee on Investigation, my plan would be to immediately begin calling witnesses to clean up the accumulation of the committee's work as soon as the special session has ended. It might be that we could not start the committee hearings the day following the end of the special session, in view of the time required to serve subpoenas on witnesses and to give them a chance to employ counsel, and so forth. But if such a unanimous-consent agreement is entered into, my plan would be to ask the staff of the committee to start immediately to serve subpoenas on witnesses and have the subpoenas returnable on this Friday—I do not think we could risk having them returnable on Thursday—and then proceed with committee sessions on Friday, Saturday, Monday, and Tuesday, and so forth, so as to clean up the committee's work. I think that is very important, because until now the security officers in the various defense plants have been cooperating fully; and they indicate they will get rid of fifth-amendment Communists or at least will get rid of them so far as top-secret work is concerned. So I think it is vitally important that the committee proceed in the way I have suggested. If it is possible to have the proposed unanimous-consent agreement entered into this afternoon, I shall have the subpoenas prepared, so they can be served on the witnesses and so the witnesses can come before the committee on Friday.

Mr. MUNDT. I certainly hope that will be done; and such procedure meets with my approval, because I desire to have the work of the committee proceeded with as soon as possible, in the interest of the security of the Nation. Every passing day security risks are employed at defense plants jeopardizes the safety and preservation of freedom everywhere.

Let me say I was impressed with the first part of the statement the junior Senator from Wisconsin read, in which he said that nothing regarding the future sessions of the committee had been definitely agreed to because of the uncertainty of the length of the special session of the Senate. That indicates the urgency of having a unanimous-consent agreement entered into. There are other more important problems before our Nation than determining the Senate's position regarding the activities of the junior Senator from Wisconsin.

As the junior Senator from Wisconsin proceeded with his statement, I construed it to be in the nature of an apology to the Members of this body because of his alleged use of offensive language concerning individuals—although not necessarily a retraction of his statements about certain committee reports or committee activities. However, I judge it was in the nature of an apology

insofar as his remarks about other Senators personally were concerned. I wonder whether my interpretation of his statement is correct.

Mr. McCARTHY. I thought I had made myself as clear as I possibly could. Let me say that I am not wedded to any particular words; for example, when I referred to the Watkins committee as the "handmaidens of the Communist Party," I should say now that "handmaidens" is not a proper word to use in that connection, because a handmaiden is a female servant, and certainly the members of the committee are not female servants. The thought I tried to express was that the Watkins committee unwittingly, and I stress the word "unwittingly", was doing exactly what the Communist Party was clamoring for. My choice of language was in that case unfortunate. Insofar as my use of the word "handmaidens" is concerned—and let me say that I am no master of words, I speak rather bluntly most of the time—certainly that word could be stricken; I am not wedded to that word.

When I referred to the junior Senator from New Jersey [Mr. HENDRICKSON] as "a living miracle, a man without brains and without guts," again that involved a choice of words which the Senator from South Dakota might not use. I felt very strongly that the Senator from New Jersey was completely wrong in signing a report which he knew was based upon innuendo and falsehood, and that only about four pages of it were based upon any evidence. I had talked to the junior Senator from New Jersey that night, and I had asked him if he was going to sign that report, knowing that parts of it were false. He said he would sign it, but he disagreed with the parts that were false. I still feel as strongly as I did then that what he did was wrong, that he should not have signed it, but that he should have made his position clear. However, I concede that the language "without brains and without guts" was an unfortunate choice of words.

I think I often use language much more blunt than the language the Senator from South Dakota would use. Let me say that I am not wedded to any of the particular words I have used. But insofar as the ideas are concerned, I still feel as strongly now as I did then about the Hennings subcommittee; I still feel as strongly as I did about having the junior Senator from New Jersey [Mr. HENDRICKSON] sign the report; I still feel as strongly as I did about the refusal of the Senator from Utah [Mr. WATKINS] to allow me to introduce evidence in justification of my criticism of the Gillette subcommittee, and then saying in his report, "But he has submitted no evidence of justification."

However, insofar as the words used are concerned, I am willing to strike out all the words that are considered objectionable. On the other hand, I still have the same strong feeling about the actions that were taken.

Mr. MUNDT. Mr. President, I ask this question primarily because my colleague the junior Senator from South Dakota [Mr. CASE], who is a member of the select committee, and who is un-

avoidably absent today, stressed that point to a considerable extent during the course of his participation in the debate, believing—to use his words—that a retraction or a striking out of the objectionable words used by the Senator from Wisconsin was important, insofar as the attitude of my colleague the junior Senator from South Dakota [Mr. CASE] is concerned. I am, therefore, gratified that the Senator from Wisconsin has now agreed to strike them out.

Mr. McCARTHY. I have no objection to striking out any words whatsoever; but I would not strike out a presentation of any of the ideas I have had on that subject.

Mr. HOLLAND, Mr. LEHMAN, and other Senators addressed the Chair.

The PRESIDENT pro tempore. Does the junior Senator from Wisconsin yield; and if so, to whom?

Mr. McCARTHY. I yield first to the Senator from Florida [Mr. HOLLAND], to whom I previously promised to yield.

Mr. HOLLAND. I thank the Senator from Wisconsin for yielding to me.

Mr. President, reserving the right to object—and let me say I certainly shall not object, because I welcome any opportunity to bring this matter to a determination at an early date—the attention of the junior Senator from Wisconsin was directed elsewhere when the able majority leader brought out one point applicable to the proposed unanimous-consent agreement, which, in the opinion of the Senator from Florida, it would be extremely necessary to cover in the agreement. That was the requirement of germaneness with respect to all amendments, because very easily the resolution could be made to include matters which would make it almost impossible for the resolution to be considered on its merits. I wished to assure myself of what I felt was the case, namely, that the junior Senator from Wisconsin was agreeable to the attachment to the proposed unanimous-consent agreement of the usual requirement of germaneness with respect to amendments or substitutes.

Mr. McCARTHY. I certainly had that in mind. I was of the opinion that nothing that was not germane should be offered as an amendment. That was the thought I had in mind while the proposed unanimous-consent agreement was being discussed during the recess. I believe that language which would satisfy the Senator from Florida should be included.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. McCARTHY. I yield.

Mr. JOHNSON of Texas. Let me say to the junior Senator from Wisconsin and the Senator from Florida that, so far as the minority leader is aware, no unanimous-consent agreement has been proposed or entered into in the Senate since the Senator from California has been majority leader and I have been minority leader which did not provide that all amendments be germane. That is customary in connection with every such agreement. Otherwise, there would never be a unanimous-consent agreement.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. McCARTHY. I am sorry, but I did not hear what the Senator from Texas said.

Mr. JOHNSON of Texas. The suggestion made by the Senator from Florida has been incorporated in all unanimous-consent agreements of which I am aware since the Senator from California has been majority leader and I have been minority leader. Of course, we expect such a requirement in connection with the proposed agreement. Otherwise we could not agree to it.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. HOLLAND. Mr. President—

Mr. McCARTHY. Let me ask the Senator from New York to wait a moment, in order that I may yield further to the Senator from Florida.

Mr. HOLLAND. Mr. President, while the position taken by the distinguished minority leader is correct as regards new amendments, it is not correct, at least in my judgment, as it relates to the question of germaneness of pending amendments, as will appear from at least one unanimous-consent agreement which was entered into in recent months. The Senator from Florida wishes to have it very clearly understood that all amendments must be germane before they can be considered under any unanimous-consent agreement relating to the pending resolution.

Mr. KNOWLAND. Mr. President, reserving the right to object, during the luncheon hour, if the Senate is to take a recess, we can discuss with the Senator from Florida and with the minority leader exactly what is meant by germaneness. Normally, what we have done is to adopt a standard procedure which would prevent consideration of amendments which are not germane. To be specific, if a tax bill is before the Senate for consideration, and a unanimous-consent agreement is sought, we do not want an amendment offered which, for example, might change the rule with respect to the vote required in connection with cloture. So it has been customary to provide that all amendments must be related to the subject matter dealt with in the particular resolution or bill which is pending. If amendments relate to the general subject matter, I do not think we have ever tried to draw too fine a line, or to try to weigh too minutely the effect of particular wording or language in an amendment or a substitute. I feel that it will be necessary to have a meeting of minds as to the exact meaning which the Senator from Florida has in contemplation in connection with the word "germaneness."

Mr. LEHMAN. Mr. President, reserving the right to object, I wish to make it very clear that no Member of this body is more eager to bring this debate to a conclusion than I am, provided that every Senator has the opportunity and the time to express himself adequately. I am glad to know that we are on the path possibly leading to a limitation of debate. However, I think we should make very certain, in limiting debate, that every Senator has an opportunity to be heard.

The junior Senator from Wisconsin has talked about indiscreet words which he may have uttered, during the course of the debate or otherwise. He has offered an expression of regret that he has, by his words, insulted certain Members of the Senate.

In my opinion the question now before the Senate goes far beyond the use of words or of language or a belated apology for their use. The issues which have been the subject of debate, and the issues on the basis of which censure of the junior Senator from Wisconsin is recommended by the select committee go far beyond the indiscreet use of words. They go to the issue of the integrity, the good faith, the character, and the loyalty of the entire Senate.

I know that preservation of the dignity of the Senate is a highly important part of the responsibilities which we of the Senate have assumed. However, I pay much less attention to those things which attack only the dignity of the Senate than I do to those which attack the honesty, the good faith, the courage, the patriotism, and the loyalty of the Senate. That, I believe, is the great issue before us and a rigid test of the Senate.

Not only have the good faith, the integrity, and the loyalty of the select committee and other committees been attacked, but the loyalty, the good faith, the patriotism, and the integrity of every Member of this body have been impugned in a speech given to the newspapers for publication and placed in the CONGRESSIONAL RECORD later in the day of—I believe November 10. That speech impugns and reflects upon the integrity, the good faith, and the loyalty of every Member of the Senate. The attack is not limited to the select committee. It is directed against the loyalty and patriotism of every Member of this body.

Another issue is the attacks by implication which have been made by the junior Senator from Wisconsin on the loyalty of hundreds of good American citizens.

I do not know, and no one else knows at this time, what amendments may be offered, or what substitutes may be submitted. The junior Senator from Illinois [Mr. DIRKSEN] has already announced that he intends to offer an amendment in the nature of a substitute. No one knows what is in that proposed substitute. No one knows what may be in many other amendments which may be offered.

I wish to bring this issue to a decision. However, I desire to be certain that there will be at least a reasonable time for discussion and debate on the various amendments and substitutes which may be offered.

I know that there has been a long debate on the original resolution itself, Senate Resolution 301. The Senate adjourned for 10 days, during which we could not debate any of the issues which are before the Senate. I shall enter no objection to a reasonable limitation of debate, but I do not think we should be rushed into acceptance of a proposed agreement until we have the opportunity, after substantial and sufficient con-

sideration, to reach our own conclusions as to whether or not the proposed agreement would insure adequate, fair, and reasonable time for debate, not only on the resolution, but on all amendments and substitutes.

I shall not object to any limitation of debate which is fair. I shall not agree to a limitation of debate which would place at a disadvantage those of us who feel that, time and time again, the junior Senator from Wisconsin has attacked the integrity, the loyalty, and the good faith of the entire Senate. I wish to see those issues discussed at sufficient length. I do not think it is important to decide here and now, or at 2 o'clock on Monday afternoon whether the Senate shall adjourn on Wednesday afternoon, Thursday afternoon, or Friday afternoon.

I wish to make certain that Senators will have sufficient time for debate, because I cannot emphasize too strongly that the issue before the Senate is not merely the use of words or the use of insulting language by the junior Senator from Wisconsin—

Mr. DIRKSEN. Mr. President, a point of order.

The PRESIDENT pro tempore. The Senator from Illinois will state it.

Mr. LEHMAN. But it goes also to the loyalty and to the integrity of the Senate as a whole.

Mr. DIRKSEN. Mr. President, a point of order.

The PRESIDENT pro tempore. The Senator from Illinois will state the point of order.

Mr. DIRKSEN. In my opinion, Mr. President, the language used by the distinguished Senator from New York contravenes rule XIX. I feel I must protest.

The PRESIDENT pro tempore. The Senator from New York will take his seat, under the rule.

Mr. JOHNSON of Texas. Mr. President, I move that the Senator from New York be permitted to proceed in order.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Texas that the Senator from New York be permitted to proceed in order. The motion was agreed to.

Mr. LEHMAN. Mr. President, I have completed the statement that I desired to make, as was my right. I have nothing further to say at this moment. I will not at this time object to the unanimous-agreement request.

Mr. JOHNSON of Texas. Mr. President, it seems to me that every Senator wants to be fair. That is a good sign. We will have plenty of time to determine what is fair. However, before the Senator from Wisconsin takes his seat it might be well to review the proposal that has been made, so that every Member of the Senate may consider it. In that way any Senator who may wish to do so may make suggestions after the luncheon hour. We can then reach a conclusion when the Senate reconvenes after a recess.

Mr. McCARTHY. I believe that is an excellent suggestion.

Mr. JOHNSON of Texas. In line with previous unanimous-consent agreements which the majority leader has offered, and in which the minority leader has al-

most always joined, the Parliamentarian has prepared a brief outline of the proposal, and I should like to inquire whether it meets the suggestion offered by the junior Senator from Wisconsin. The proposal reads:

Ordered, That on Wednesday, December 1, 1954, at not later than the hour of 3 o'clock p. m., the Senate proceed to vote, under the limitations of debate hereinafter provided, upon any amendment or motion, including appeals that may be pending or that may thereafter be proposed to Senate Resolution 301, and upon the final passage of the resolution: *Provided*, That after the said hour of 3 o'clock p. m. debate upon any amendment, motion, or appeal shall be limited to 60 minutes, to be equally divided and controlled, respectively—

Mr. McCARTHY. Mr. President, may I interrupt the Senator at that point? I believe the suggestion was made—and I believe it was wisely made—that on motions 30 minutes be allowed to each side, but that on substitutes—

Mr. JOHNSON of Texas. We shall get to that point in a minute. This provision covers—

Any amendment, motion, or appeal providing 60 minutes of debate, to be equally divided and controlled, respectively, by the mover of any such amendment, motion, or appeal, and the Senator from Utah [Mr. WATKINS].

The proposal provides further:

That on any substitute the debate shall not exceed 4 hours—

Mr. McCARTHY. Mr. President, may I interrupt the Senator again? I do not like to do so as he reads the agreement. However, if there is an amendment offered which the Senator from Utah—

Mr. JOHNSON of Texas. We will get to that in a minute, if the junior Senator from Wisconsin will follow me. I believe we have covered the situation which the junior Senator from Wisconsin has in mind.

On any substitute the debate shall not exceed 4 hours, under similar control, provided that if the Senator from Utah [Mr. WATKINS] is in favor of any such amendment, substitute, or motion, the time shall be controlled by the minority leader.

That has been the custom in the Senate. It has been the custom for the chairman of the committee to control the debate in opposition to an amendment, but such control goes to the minority leader if the chairman is in favor of an amendment.

Provided further, That the time between 3 o'clock p. m. today and 3 o'clock p. m. on Wednesday, December 1, shall be equally divided and controlled by the majority leader and the minority leader: *Provided further*, That no amendment or motion which is not germane to the resolution shall be received.

There may be Senators who feel that 4 hours of debate is not sufficient, while other Senators may feel it is too much with respect to a substitute.

Some Senators may feel that an hour of debate on an amendment is not sufficient time, whereas other Senators may feel it is too much. I believe Senators can consider these suggestions during the luncheon hour. So far as I know, the

language in the proposed unanimous-consent agreement is similar to and consistent with the language in other unanimous-consent agreements.

Mr. JENNER. Mr. President, a point of order.

The PRESIDENT pro tempore. The Senator will state it.

Mr. JENNER. With reference to the matter of germaneness, since the pending resolution is a resolution of censure, certainly any censure resolution concerning any other Member of the Senate would be germane. Is that correct?

The PRESIDENT pro tempore. The Chair is of the opinion that an amendment of censure affecting any Senator other than the junior Senator from Wisconsin would not be germane.

Mr. JENNER. I thank the Chair.

Mr. McCARTHY. I suggest that during the luncheon hour the resolution be amended so as to provide that any other censure resolution may be offered. I understand some Senators have in mind submitting such a censure resolution. I assume they would object to a unanimous-consent agreement unless such a provision were included. In fact, I shall amend the unanimous-consent request after the luncheon recess so as to provide that any other censure resolution may be considered as germane.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. McCARTHY. I am glad to yield.

Mr. JOHNSON of Texas. Is the other language in the resolution generally satisfactory to the Senator from Wisconsin?

Mr. McCARTHY. I think it is completely satisfactory.

Mr. JOHNSON of Colorado. Mr. President, 2 weeks ago, before the Senate recessed, I had prepared an address on the censure proposal. I did not have an opportunity to deliver it at that time, and I shall now say what I have in mind.

Mr. WELKER. Mr. President, a point of order.

The PRESIDENT pro tempore. The Senator will state it.

Mr. WELKER. Is the morning hour over?

The PRESIDENT pro tempore. The morning hour is over. The Senate is now considering the unfinished business.

Mr. WELKER. May we expect to eat at any time today?

The PRESIDENT pro tempore. The Chair has not been informed on that point.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. KNOWLAND. I will say to the Senator from Idaho and to the Senate that I had in mind, subject to the desires of the Senate, to move a recess, so that the proposed unanimous-consent agreement could be typed and perhaps mimeographed, so that copies would be available to all Members of the Senate and on their desks before we returned to the Senate after the luncheon recess.

I understood that the distinguished Senator from Colorado had his name at the desk for some time and had been seeking recognition. I would not wish to take him off the floor by moving a recess. If it would be agreeable to him, I may say that I am prepared to move a recess

at this time, until 3 o'clock this afternoon.

Mr. JOHNSON of Colorado. That is perfectly satisfactory to me.

Mr. WELKER. With the understanding that the Senator from Colorado will have the floor when the Senate reconvenes?

Mr. KNOWLAND. That is correct. However, I would hope that at that time he will be willing to let the unanimous-consent agreement be propounded.

Mr. JOHNSON of Colorado. Certainly.

Mr. JOHNSON of Texas. It is my understanding that the majority leader is willing to have the Senate stay in session until 12 o'clock tonight and until 12 o'clock tomorrow night, so that Senators who may desire to do so, may speak on the pending question. Is that correct?

Mr. KNOWLAND. I had hoped that the Senate would not be in session until 12 o'clock tonight or tomorrow night. I indicated that we would not be bound to the 6 o'clock or 7 o'clock hour of recess. I should like to have a reasonable program or schedule determined upon; but certainly I will not foreclose any Senator if it is the desire of the Senate to stay in session later.

Mr. JOHNSON of Texas. I do not know that any Senator would wish to speak until 12 o'clock, but I am sure the majority leader and the minority leader would remain here until that time if that should be necessary.

Mr. KNOWLAND. Mr. President, in order to reach an agreement, I would commit myself to stay until midnight, if that be necessary; but I hope it will not be necessary.

Mr. JOHNSON of Texas. I understand the position of the Senator from California.

RECESS TO 3 O'CLOCK P. M.

Mr. KNOWLAND. Mr. President, I now move that the Senate stand in recess until the hour of 3 o'clock this afternoon.

The motion was agreed to; and (at 1 o'clock and 40 minutes p. m.) the Senate took a recess until 3 o'clock, p. m.

On the expiration of the recess, the Senate reassembled, and was called to order by the Presiding Officer (Mr. PAYNE in the chair).

RESOLUTION OF CENSURE

The Senate resumed the consideration of the resolution (S. Res. 301) to censure the junior Senator from Wisconsin.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Abel	Clements	Flanders
Barrett	Cooper	Frear
Beall	Cordon	Fulbright
Bennett	Cotton	George
Bridges	Crippa	Gillette
Brown	Daniel, S. C.	Goldwater
Butler	Dirksen	Green
Byrd	Duff	Hayden
Carlson	Ellender	Hendrickson
Case	Ervin	Hennings
Chavez	Ferguson	Hickenlooper

Holland	Magnuson	Russell
Hruska	Mansfield	Saltonstall
Ives	Martin	Scott
Jenner	McCarthy	Smith, Maine
Johnson, Colo.	McClellan	Smith, N. J.
Johnson, Tex.	Millikin	Sparkman
Johnston, S. C.	Monroney	Stennis
Kerr	Mundt	Symington
Kilgore	Murray	Thye
Knowland	Neely	Watkins
Kuchel	Payne	Welker
Lehman	Purtell	Williams
Long	Robertson	Young

The PRESIDING OFFICER. A quorum is present.

Mr. JOHNSON of Colorado. Mr. President, on New Year's day I shall be 71 years of age. Nearly half of my long life has been spent in public service. I served in both houses of the legislature of my State; I have been Governor; and for nearly 18 years I have been a Member of this esteemed body.

In those years I have dealt on the closest personal basis with literally thousands of people. I have had my differences with them, and they with me. I have engaged, as most of my colleagues have, in sharp and bitter political campaigns. I have been castigated and criticized and denounced, and I have castigated, criticized, and denounced others. But I have not hated, and I do not today hate any man.

I freely admit that I have despised methods and ideas that others have embraced; and God willing, I hope I always shall. I have hated, and I hate now, tyranny in all of its various forms. I hate the international Communist conspiracy because it represents triple tyranny—economic tyranny, political tyranny, and tyranny of the mind.

When this special session of the Senate of the United States adjourns sine die, I shall have ended my career in this body. The past 18 years have been the most exciting, the most challenging, and the most precious of my life. I treasure every moment of my service here, and I am humbly grateful for the opportunity that has been given me to know intimately the great men and women who have served in this body during the past two decades.

In all probability, this is my last speech in the Senate. During my service here, this Chamber has echoed many great speeches. Here, where Borah and Hiram Johnson thundered; here, where George Norris in simple language carried us back to the grassroots; here, where Pat Harrison thrust his sharp barbs; here, where young Bob La Follette pleaded so earnestly; yes, here, where my own beloved colleague, GENE MILLIKIN, exchanges witticisms so delightfully with the "Young Turks"; here, where WALTER GEORGE moves us with his sage and reasoned oratory; here I now stand, Mr. President, delivering my swan song. I fear its only distinction will be that it is my last speech. In it I shall speak, not for today, but for tomorrow and all the tomorrows during the life of the Republic that the United States Senate will face.

Most Americans rightfully deem it a singular honor to be a Senator of the United States of America, for in all the world or in all human history, no political institution surpasses it, or ought to surpass it, in democratic procedures and nationwide prestige. The financial re-

wards are near zero; but the reward of knowing intimately, as close friends, the political leaders of the world is a rich experience, indeed. Traditionally, service in this political body carries with it a very demanding challenge upon all its Members to be considerate, and it gives them a golden opportunity to cultivate warm and lasting friendships. Long experience has demonstrated that democratic, parliamentary achievements require a dignified atmosphere, where mutual respect among its membership is forever present. The Senate must ever remain the citadel of courtesy and dignity. This is the way I found it when I came here, and this is the way I want to leave it when I return to Colorado.

On Tuesday, November 9, Members of the Senate paid their last respects to three of our departed colleagues. No one could have listened to the tributes which were enunciated and observed the grief and sorrow so earnestly and sincerely expressed here without realizing the close ties of deep respect and affection Members of the Senate have for one another. Often the Senate has been described by the penetrating observers of the press as the "world's most exclusive club" because the ties of friendship and mutual regard are so strong here.

Nevertheless, regrettable actions have followed regrettable acts in this Chamber of "brotherly love." In the closing days of the last session of the 83d Congress, 3 amendments to Senate Resolution 301 recited 46 specific charges of misbehavior against the junior Senator from Wisconsin [Mr. McCARTHY]. Obviously, the Senate as a whole could not hold hearings and sift these charges; so Senate Resolution 301, together with all amendments, was referred to a special committee of six members, created for that purpose. The committee was called the Senate Select Committee, and was directed to report to the Senate. The only qualification stipulated by the Senate for the committee's membership was that it be composed of 3 Republicans and 3 Democrats. It was my misfortune to be selected as one of the 3 Democrats. When it was pointed out to me that the honor of the Senate was involved, I felt compelled to set aside my many selfish reasons for not serving, and to accept the difficult assignment.

In fact, no member of the select committee sought assignment to it. It is no secret that some of us were importuned again and again to take up a responsibility which all of us regarded as onerous, and which many of us feared would be a miserable business. I, for one, had to weigh my duty to my leader and to the Senate as an institution, against my personal problem of an especially difficult political campaign and the commonsense realization that whatever decision on the charges I might reach would hurt me politically, and might very well lose me the high office I sought.

The members of the select committee as a whole assumed their unprecedented task, not with exultation, but in the serious vein of patriotism and sacrifice. To me, its one redeeming feature has been the consecrated approach of the other five members of the select committee to the task at hand. Their fixed

determination to be impartial and just to Senator McCARTHY, and at the same time to meet their responsibilities without fear or favor, bias or prejudice, has been in the highest traditions of the United States Senate.

Especially do I want to commend the chairman of the committee, the senior Senator from Utah [Mr. WATKINS], for his inexhaustible patience and his spiritual dedication to the job to be done. He was not well, but he gave it every ounce of strength and devotion he possessed, and thereby imparted much tone and dignity to the proceedings.

Each of the six members of the select committee took up the assignment with a completely open mind. To this I can testify freely without mental reservation, both as to myself and my committee colleagues. This is not to say that none of us had knowledge of the activities of the junior Senator from Wisconsin as a Member of this body through the years, about which some of us may have expressed opinions.

Because of a newspaper story published in the Denver Post 5 months previous to the creation of the select committee and based on an interview with me by telephone, some question was raised about whether or not I was biased or prejudiced against Senator McCARTHY.

Robert Lucas, editor of the Denver Post, a newspaper violently opposed to Senator McCARTHY, had asked me questions over long-distance telephone about the position of the Senate Democrats toward Senator McCARTHY, which questions I answered the best I could.

At the time the question of my fitness was raised I was positive I could and would weigh the evidence in the case objectively and without any bias or prejudice whatsoever. In the deliberations of the committee which followed the hearings I insisted upon giving the junior Senator from Wisconsin the benefit of the doubt whenever there was any doubt.

In my opinion, no Senator among the 96 would have sifted and weighed the evidence with more painstaking care and less bias and prejudice than did I.

With a clear conscience I can now swear on the Holy Bible and before the everliving God that my decisions as a member of the select committee with respect to the 46 charges before us were based solely upon the evidence considered by the committee without bias or prejudice or influence of any kind.

I regret that in good conscience the select committee could not have brought in a less severe recommendation. However, I realize that the select committee is merely the agent of the Senate, and that the final decision to censure or not to censure rests not with it but with the Senate itself. I have no desire to try to influence a single vote here either for or against the junior Senator from Wisconsin. I will do my duty as I see it; and beyond that point I will not go. It is not my duty to try to obtain votes either for or against anyone. I am speaking here today not to gain votes for one side or the other, but in a humble effort to try to clarify the issues before the Senate, which I feel is my obligation as a member of the select committee.

The select committee did not have before it, and the Senate does not now have before it, the question of whether the junior Senator from Wisconsin is a good, bad, or indifferent Communist investigator. There was no charge against the junior Senator from Wisconsin that he failed to find Communists in Government or in defense plants, or in schools, or in churches. There was no charge that the junior Senator from Wisconsin found too many Communists in Government, or in defense plants, or in schools, or in churches. There was no charge that the junior Senator from Wisconsin was either too soft or too harsh on Communists, or fifth amendment Communists, or suspected Communists. I can understand why those who do not favor the committee report would like to make communism and Communist ferreting the issue here. It is an ideal cloak to throw over this entire issue. It is the kind of cloak that registers quickly with a public which does not know all the facts.

If the accused can make it appear that the select committee is in league with communism, it will aid his cause greatly. But are Senators familiar with these facts to fall for that line of subterfuge? Are lawyers, former jurists, and experienced Senators who know fact from fancy, morality from immorality, honesty from dishonesty, to allow themselves to be pushed back to a defense line from which there is no defense? The American people have no patience with the international Communist conspiracy and they will have no part of it. No segment of the American people could be more opposed to communism than the members of the select committee.

Every Senator realizes that Senator McCARTHY has been a very controversial figure for many years. I have received many hundreds of letters about him, and I am still receiving them. Some have praised him in various degrees, and some have criticized him in various degrees. Some have asked me for information about him. I have tried to reply to each letter honestly and frankly.

In these letters I have said over and over, "To the extent that Senator McCARTHY has exposed Communists in or out of the employ of the Government I pay tribute to him." I am aware that there is considerable difference of opinion as to exactly how much Senator McCARTHY has contributed to the fight against communism. The Senator from Arizona [Mr. GOLDWATER] and many others in good faith and perhaps with good reason have contended that Senator McCARTHY has made a superlative contribution in this field, while the New York Times in an editorial on November 11 argues that he has made no contribution at all.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks an editorial which was published in the New York Times of Thursday, November 11, 1954.

THE PRESIDING OFFICER. Is there objection?

Mr. McCARTHY. Mr. President, reserving the right to object, may I see the editorial first? I should like to see the editorial before I consent to its being printed in the RECORD.

Mr. JOHNSON of Colorado. Mr. President, I shall continue.

I have been concerned by the statement that Senate Resolution 301 as amended might give comfort to Communists. I wish to eliminate any such possibility, and therefore I submit here and now another amendment to Senate Resolution 301. I ask that it be printed and lie on the desk.

The PRESIDING OFFICER. The amendment will be printed and will lie on the table.

Mr. JOHNSON of Colorado. My amendment reads as follows:

SEC. 4. It is the sense of the Senate that the Communist Party of the United States is not a domestic political party in the usual tradition, but is a part of the international Communist conspiracy, a death menace to the United States and the enemy of all democratic forms of government. Accordingly, the Senate's appropriate committees should continue diligently and vigorously to investigate, expose, and combat this conspiracy and all subversive elements and persons connected therewith.

Personally, I feel that the junior Senator from Wisconsin has alerted the Nation to the menace of communism in Federal employment and in the Army. Because I have said so in numerous letters, I have been charged with being pro-McCarthy by some Colorado newspapers. Middle-of-the-road moderates who see both good and evil in controversial issues must expect to be criticized by the extremists of both camps.

Originally the select committee had before it 46 charges upon which it was alleged that censure of the junior Senator from Wisconsin was merited. The committee rejected 33 of these charges, and consolidated the balance into 2 charges upon which it recommended censure to the Senate. There is no question in my mind but that the evidence and the record fully support the select committee's findings of fact and recommendations. As one member of the select committee, I am content to let the report which we unanimously agreed upon and filed with the Senate, stand as our final record.

But, in my personal capacity as a Member of the Senate of the United States, I deem it incumbent upon me to add some footnotes to that record and that report. I do this solely with the purpose of illuminating some darker corners, and to make plain where I stand and why.

The footnote I want to add relates to the charge in the category dealing with Ralph W. Zwicker, a general officer of the Army of the United States.

From reading the McCarthy-Zwicker testimony I got the impression that General Zwicker was evasive, arrogant, and unnecessarily difficult in the McCarthy cross-examination, and at the beginning of the select committee's considerations I felt that Senator McCARTHY was more or less justified for his irritations at this witness.

However, when General Zwicker appeared before the Watkins committee, and after I had seen him in action and heard him testify, I was compelled by the evidence to change my position.

Before the select committee he submitted to a lengthy and grueling cross-

examination by counsel for the junior Senator from Wisconsin and by the committee's counsel. Through it all he was intelligent, patient, deliberate, cooperative, dignified, and courteous. In my opinion, he made a perfect witness, never losing his temper and never resorting to cute answers. I was tremendously impressed by him.

Mr. McCARTHY. Mr. President, will the Senator from Colorado yield at that point?

Mr. JOHNSON of Colorado. I yield. Mr. McCARTHY. The Senator from Colorado requested that he be permitted to insert in the CONGRESSIONAL RECORD an editorial published in the New York Times. I have read the editorial. I should like to say that if any Senator made some of the statements contained in the editorial on the floor of the Senate he could be forced to take his seat at least a dozen times. It is filled with falsehoods and innuendoes. However, I shall not object to its being inserted in the RECORD, but I ask that the Senator from Colorado read the editorial before he again requests that it be made a part of his comments.

Mr. JOHNSON of Colorado. Very well, I shall do so.

Mr. McCARTHY. Even if the Senator from Colorado does not care to do so, I have no objection to its being printed in the RECORD.

Mr. JOHNSON of Colorado. I shall do so. I shall go on with what I have to say.

The PRESIDING OFFICER. Does the Senator from Colorado insist upon his previous request that the editorial be printed in the RECORD, or does he withdraw the request?

Mr. JOHNSON of Colorado. I shall deal with it as I go along.

Mr. McCARTHY. Mr. President, will the Senator from Colorado yield once more?

Mr. JOHNSON of Colorado. I yield.

Mr. McCARTHY. I ask the Senator from Colorado to yield for the purpose of correcting the RECORD. I am sure he wishes to keep the RECORD straight. He has twice mentioned an investigation of communism in churches. I wish he would make clear in the RECORD that the Senator from Wisconsin and his committee have never investigated communism in churches. I am sure the Senator from Colorado does not wish to create that impression. I am not saying that it would be wrong to conduct such an investigation. However, we have never undertaken such an investigation. I believe the Senator from Colorado should clarify the RECORD on that point.

Mr. JOHNSON of Colorado. I have no specific evidence on that point. I had something in the back of my mind to the effect that a certain minister in one of the churches had made certain remarks, which appeared in print, and that is what I was referring to. If the Senator says he has never investigated communism in churches, I am willing to take his word for it, and have the RECORD so show.

Mr. McCARTHY. I thank the Senator from Colorado.

Mr. JOHNSON of Colorado. I believe it is true also that no Senate committee's

jurisdiction would cover such an investigation.

However, to continue with my remarks, I should like to say that I argued long and earnestly in the select committee that we drop the charges filed with us that "without justification the junior Senator from Wisconsin impugned the loyalty, patriotism, and character of Gen. Ralph Zwicker."

It was my contention that the junior Senator was proceeding with the Zwicker hearings on February 18 under great difficulty. His wife had met with a serious accident and had to be taken to the hospital, and the Senator had been up all night looking after her comfort and had had no sleep. At the beginning of the hearings he was handed a letter from the Secretary of War Stevens, dated February 16, which infuriated him. All in all, it was just a bad day for the junior Senator from Wisconsin and all who appeared before him. However, my views did not prevail and the select committee went into the McCarthy-Zwicker hearings in all of their ugly detail, which I will highlight.

Since General Zwicker was testifying under Presidential orders which restricted his testimony severely he appeared to be a reluctant witness, when in truth he was a very frightened witness, who went on the defensive very naturally when the junior Senator from Wisconsin resorted to rough tactics in his cross-examination. General Zwicker appeared before Senator McCARTHY without the benefit of counsel, and explained to the select committee that at that time he was inexperienced in testifying before committees of Congress.

In the course of his examination, Senator McCARTHY, in an aside to his colleagues on the committee, said:

This is the first fifth-amendment general we've had before us.

Later, but directly to General Zwicker, Senator McCARTHY said:

Then, General, you should be removed from any command. Any man who has been given the honor of being promoted to general and who says, "I will protect another general who protected Communists," is not fit to wear that uniform, General. I think it is a tremendous disgrace to the Army to have this sort of thing given to the public. I intend to give it to them. I have a duty to do that. I intend to repeat to the press exactly what you said. So you know that. You will be back here, General.

Afterward the junior Senator from Wisconsin made the following remark:

General, I'm going to have you back here Tuesday and put you on display before the public in order that they may see just what kind of incompetent officers we have in the Army.

During our hearings it developed that General Zwicker not only had opposed the promotion of Major Peress and had opposed giving him an honorable discharge but also was very much opposed to any officer in the United States Army invoking the fifth amendment. In fact, on January 21, 1954, General Zwicker, in a spirit of friendly cooperation, had actually revealed the name of Major Peress to the McCarthy committee staff.

As a member of the select committee, it was my duty to set aside any prejudice

for or against Senator McCARTHY I might have, and be guided entirely by the evidence.

Previous to the select committee hearings I made excuses for the bad temper displayed on February 18, 1954, by the junior Senator from Wisconsin in his examination of General Zwicker, but on September 8, 1954, more than 6 months afterward, even though the Army had given the Senator and his committee a list containing the names of every Army officer and everyone else who had anything to do with the induction, transfer, assignment, promotion, and discharge of Major Peress, the junior Senator from Wisconsin had not mellowed toward General Zwicker in the slightest degree. General Zwicker's name did not appear on that list, the Army taking the position that General Zwicker was merely the separation officer carrying out the orders of his superiors, and had at no time determined any policy with respect to the handling of Major Peress. It is significantly strange that neither the junior Senator from Wisconsin, nor any other Senator, nor any other Senate committee, had called any of the officers on the Army list to ascertain who promoted Major Peress, and why, and who ordered his honorable discharge, and why.

The people have a right to this information and I think they will be surprised when they learn that General Zwicker is completely innocent of determining any policy with respect to this whole mixed-up affair. There is not the slightest doubt in my mind that a completely innocent and able and distinguished general was shamefully treated by the chairman of a committee of Congress as a result of that Senator's carelessness and stubbornness.

Mr. McCARTHY. Mr. President, will the Senator yield at that point?

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Wisconsin?

Mr. JOHNSON of Colorado. I yield.

Mr. McCARTHY. I wonder if the Senator is aware of the fact that we did get the promise of the Secretary of the Army that he would have the Inspector General make a search and try to find out who promoted and honorably discharged Major Peress, and that up to that date, even though I had written the Secretary of the Army repeatedly, we had not received that information. I wonder if the Senator is aware of the fact that the indications are that General Zwicker was the man responsible for the promotion of Peress. Is the Senator aware of that fact?

Mr. JOHNSON of Colorado. No; I am not aware of it. In fact, I have just the opposite information. I will say to the junior Senator from Wisconsin that it is my understanding that the names of 30 men had been submitted to the committee, either the committee headed by the junior Senator from Wisconsin, or the other committee, indicating those who had anything to do with the matter.

Mr. McCARTHY. I hesitate to interrupt the Senator during his speech, because, as I have said before, I will read in the headlines tomorrow that we had a fight or an argument, and I have had

no fight or argument with the Senator from Colorado. But is he not aware of the fact that his own committee, the select committee, saw Secretary of the Army Stevens, that the Senator from Utah [Mr. WATKINS] made the appointment; that Stevens told him that after I had written my letter suggesting a court-martial of those responsible, there was a meeting in the Pentagon, and the letter was turned over to Mr. John Adams, the legal counsel. They had a meeting, and at that meeting it was decided to give Peress an immediate honorable discharge.

So, Mr. Stevens knew who was responsible for giving the honorable discharge. The Senator's committee was told about the meeting. In other words, it is not a case of giving 30 names. The names included persons in the Surgeon General's Office who examined men receiving honorable discharges. The select committee knew there was a meeting held and they knew who was there and that it was decided to give Peress an honorable discharge.

I wonder if the Senator and I cannot wholeheartedly agree that where there was a meeting at the Pentagon and a decision to give an honorable discharge to a man who was known to be a Communist, known to be guilty of a violation of a Federal law, for which there was a penalty of 5 years imprisonment, in all decency Mr. Stevens or someone should tell the committee and tell the Senate who was responsible. I am sure the Senator will agree that we cannot get that information by questioning persons in the Surgeon General's Office.

Mr. CASE. Mr. President, will the Senator from Colorado yield?

Mr. JOHNSON of Colorado. I shall be glad to yield in a moment.

I was going on to say some of the things which the junior Senator from Wisconsin has already said. But the point I am making and the point which I shall continue to make is that General Zwicker was not present in the conference about which the junior Senator from Wisconsin speaks. He was merely the separation officer and he at no time exercised any judgment with respect to the discharge of Major Peress. He simply carried out the orders which were given to him. I am familiar with the fact that the junior Senator from Wisconsin wrote to the Secretary of the Army a letter which, in his absence, was handled by the Acting Secretary, Mr. Adams, and that a very important decision was made, namely, not to pay any attention to the letter which was received from the junior Senator from Wisconsin. I think that is an intolerable thing, and I am going to discuss that in a few moments.

I now yield to the Senator from South Dakota.

Mr. CASE. Mr. President, I appreciate the yielding by the distinguished Senator from Colorado.

There are 2 or 3 points I wish to bring out, because I think this is a very important matter and that the record should be clear regarding it.

The Senator from Colorado has just stated that he would clarify some of the

points involved, but I should like to correct one thing which the junior Senator from Wisconsin has said when he was paraphrasing the letter from Secretary Stevens which was written on the 13th of November, a week ago Saturday. In paraphrasing, I believe that he inadvertently had the Secretary saying "we" did certain things. I am sure he meant to say "they," meaning the staff at the Pentagon which handled the matter, rather than Secretary Stevens. Secretary Stevens was not at the Pentagon on the 1st of February when the letter from the chairman of the investigating subcommittee arrived. Had he been there, as has been said, the whole Peress matter might have been handled differently. But he was on his way back from Japan and did not return until the 3d of February, the day after the McCarthy suggestion was finally rejected and the request of Peress granted with the immediate discharge.

A point to keep clear is that in his letter of February 16, 2 days before the Zwicker hearing, Secretary Stevens was signing a letter prepared by a staff at the Pentagon.

The February 16 letter which stirred Senator McCARTHY was not a letter prepared by the Secretary himself, as is evidenced by several references in Secretary Stevens' statements to the committee and in his later letter of November 13. The staff letter of February 16, signed by Secretary Stevens, indicated that the letter of the junior Senator from Wisconsin got there too late. It referred to the McCarthy letter as asking for a reversal of an action previously taken, which, it said, was impossible, because the discharge was final.

Personally, Mr. President, I do not feel that General Zwicker was responsible for the discharge of Peress. At a meeting in the office of Chairman WATKINS on Saturday, November 13, Secretary Stevens did bring with him a paper which he said contained a list of the persons who were associated in the Peress affair; and General Zwicker's name did not appear on that list. General Zwicker was in command of the separation center, where 15,000 or 16,000 persons were being separated every month. When Peress came in on Monday, the 1st of February, following the hearing before Senator McCARTHY on Saturday, January 30, in New York, and asked for an immediate discharge, General Zwicker notified the next officer in line, his superior, the Chief of Staff, First Army, that Peress said he wanted the discharge immediately. That was the day on which the McCarthy letter went to the Pentagon, when Secretary Stevens was not there. It went to the responsible Army staff. The Secretary's letter of November 13 says the McCarthy letter was referred by Mr. Adams to the responsible Army staff, that they reviewed it, and then decided there was nothing in it to require—and I emphasize the word "require"—a modification of the determination previously made, which was to give Peress an immediate discharge. The Secretary's letter uses the phrase "which was about to be consummated."

So the facts are that the letter of the chairman of the Senate Investigating

Subcommittee was delivered at the Pentagon on the 1st of February, was referred to a responsible staff, by them reviewed, and the matter was finally determined, without Mr. Stevens being present. General Zwicker had notified the Army through his immediate superior that Peress had come in that same Monday, February 1, and asked for his immediate discharge instead of the previously agreed upon March 31. So both appeals were before them. The discharge was consummated on the following day, February 2.

Late on February 3 Mr. Stevens returned to the Pentagon, and on February 5 responded to one of the suggestions by Senator McCARTHY and directed the Inspector General to make an investigation. That investigation resulted in the compiling of a list of 30 names which, as Mr. Stevens told us, had to do with the Peress affair. But, as I understood him—and my recollection may be subject to correction on any point, although on this particular point I think my recollection is correct—Stevens said to us in the office of the senior Senator from Utah on the Saturday afternoon in question that the list of 30 names was in groups. There was a group of 4 or 5 which had to do with draft induction; a group of 4 or 5 names which had to do with medical aspects of induction or commissioning under the Doctors and Dentists Draft Act; a group of 4 or 5 which had to do with promotion; and a group which had to do with the discharge.

It was at that point in this meeting on November 13 that I asked whether or not the name at the head of the group having to do with the discharge was that of a brigadier general or a major general. My reason was that Zwicker was a brigadier general, and I wanted to know if it was the name of an officer of higher rank than that who was at the head of the group which ordered the Peress discharge consummated. Secretary Stevens said that it was neither a brigadier general nor a major general, but a person of higher rank.

It was then that I suggested that we have another meeting of the committee and invite the man who was at the head of the discharge group to come before us and answer questions. Then someone objected and pointed out that the chairman of the committee, the distinguished senior Senator from Utah [Mr. WARREN], had already been asked to appear before the subcommittee headed by the junior Senator from Wisconsin on the following Monday morning, and since the Senate was to meet early, it would be impracticable to have the meeting.

Then it was that I said there were two questions I wanted to ask after having read the full text of McCARTHY's February 1 letter which the Secretary had brought with him. The questions were: First, when was the letter from Senator McCARTHY received by the Pentagon; second, how was it handled, that is, what was done with it?

The next day, Sunday, Senator WARREN sent me a copy of the reply to those questions, a letter from Secretary Stevens, dated November 13, which he says

he wrote after consulting the records in his office. This November 13 letter says the Secretary found that the McCarthy letter had been delivered by hand—that is, by messenger—on the 1st day of February; that it had been given to Army Counsel John Adams; that Adams referred it to the responsible Army staff; and that they reviewed it and decided it did not require or compel them to modify the earlier discharge order which directed the Peress discharge in not less than 90 days or earlier if he so requested. So they proceeded with the discharge which later the staff-prepared letter said could not be reversed.

I wish to express my appreciation to the distinguished Senator from Colorado for his indulgence in permitting me to review these items.

Mr. JOHNSON of Colorado. I am glad to have the clarifying statement of the distinguished junior Senator from South Dakota with reference to these matters. I am glad the Senator from South Dakota has stated, without any hesitation, that General Zwicker had nothing to do with these matters—policy matters—which is the only point I am making.

If Senators will give me an opportunity to read my next paragraph, they will hear a statement of the way I feel about how the junior Senator from Wisconsin and a responsible committee of the Senate were treated, not by General Zwicker, because General Zwicker had nothing to do with it, but by the staff of the Acting Secretary of the Army in the Pentagon.

Mr. McCARTHY. Mr. President, will the Senator yield at this point?

Mr. JOHNSON of Colorado. I yield.

Mr. McCARTHY. The Senator from Colorado has said that General Zwicker had nothing to do with this. I wonder if he is aware of the fact that our investigators visited Camp Kilmer, and so testified, and here interviewed General Zwicker; that Zwicker told them he had been in touch with the Pentagon before he gave Peress the sudden honorable discharge.

The testimony of Peress was that he did not request the discharge.

In other words, one day the investigators visited Zwicker, who said, "Yes; I was in touch with the Pentagon." The next day Zwicker appeared before our committee and, under oath, said, "I was in touch with no one."

I simply wonder if it would not tax the patience of the Senator from Colorado if he found that a general had given one story to an investigator on one day about a man known to be a fifth-amendment Communist, and on the next day, under oath, had changed his story and had made a complete about face.

Mr. CARLSON. Mr. President, will the Senator from Colorado yield?

Mr. JOHNSON of Colorado. I yield.

Mr. CARLSON. I think it is important that at this point in the Record we have the exact testimony of General Zwicker on this very issue. I refer now to page 505 of part I of the hearings of the select committee. Since it will not take more than a moment. I wish to read it. Mr. de Furia, counsel for the committee, was questioning General

Zwicker, who was the witness on the stand. I read as follows:

Mr. DE FURIA. General, did you promote Peress?

General ZWICKER. I definitely did not.

Mr. DE FURIA. Did you discharge him with an honorable discharge?

General ZWICKER. I did, sir.

Mr. DE FURIA. Was that on your own initiative or under orders, sir?

General ZWICKER. It was under orders.

Mr. DE FURIA. What kind of work was Peress doing while you were commandant at Camp Kilmer?

General ZWICKER. He was a dentist and his work was confined strictly to dentistry.

Mr. DE FURIA. Was he in what you would call a sensitive position so far as intelligence or information or classified material was concerned?

General ZWICKER. He was not.

Mr. DE FURIA. Senator ERVIN suggests that perhaps working with teeth and nerves, that made it a sensitive position.

When you learned about the Peress separation order did you express to anyone your feelings about the merits or demerits about that separation order?

General ZWICKER. I certainly did.

Mr. DE FURIA. When you learned that Peress was going from captain to be a major, did you express your personal feelings about that?

General ZWICKER. I certainly did.

Mr. DE FURIA. And when you learned that Peress was about to be discharged with an honorable discharge, did you express your personal feelings about that?

General ZWICKER. Most emphatically.

Mr. McCARTHY. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I shall yield to the junior Senator from Wisconsin at this time, although I desire to finish what I have to say. Later I shall be glad to yield.

Mr. McCARTHY. I know the Senator from Colorado desires to proceed with his statement, but I wish to have the Zwicker record complete for the benefit of the Senate.

When Zwicker appeared before our committee, he was asked whether he knew who had ordered the discharge of Peress. He said, "No."

We asked him if he cared. He said, "No," that frankly he was not interested. He then said that he had expressed no opinion to anyone about it.

So the testimony which the junior Senator from Kansas has just read is directly contradictory of what Zwicker testified before our committee. I may also say to the Senator from Colorado that later—I do not have the testimony before me, so I cannot give the page number, although I can almost quote the testimony verbatim—Zwicker was asked, first, whether he knew that Peress had appeared and refused to answer questions.

His answer was, "No, sir; not specifically to answer questions."

Then, after cross-examination, which covered, I think, a page and a half, Zwicker admitted that he knew Peress had refused to answer questions, but not about Communist activities.

Does the Senator from Colorado follow me?

First, Zwicker said he did not know that Peress had refused to answer questions. Then, after cross-examination, he said, "Yes; I know he refused to answer

questions, but not about Communist activities."

Then, about a page or two later, Zwicker finally said, "Yes; I had the impression he refused to answer questions about Communist activities."

I merely point this out to the Senator from Colorado, as I assume he did not have it brought to his attention before this; I want merely to show that we had before us a general who was not relying upon a Presidential directive; a general who was not saying, "I cannot answer questions"; but a general under oath who changed his story three times. I am certain the Senator from Colorado will agree that it required vigorous cross-examination to try to get the truth from General Zwicker; and we still do not have the truth from him.

Mr. JOHNSON of Colorado. The facts are that when General Zwicker appeared before the junior Senator from Wisconsin, he did not have counsel with him. He was acting under higher orders from the military. He was acting under instructions which had been given to him, and also on Presidential orders, and it was necessary for him to interpret to what extent those orders pertained to him. Naturally, he went on the defensive; and to read the evidence, it would sound like he was reluctant to testify.

But when he appeared before our committee, he had an attorney with him; he had counsel by his side; and when questions were asked of him, he referred the questions to the counsel and asked if he might reply. This gave the witness a great deal more confidence. I have read all the testimony in the Zwicker-McCarthy hearings, not once, but many times. I listened to the testimony before the committee. I could find nothing wrong with the testimony of General Zwicker, either his previous testimony or the testimony before the select committee.

Mr. McCARTHY subsequently said: Mr. President, will the Senator from Colorado yield to me at this point?

Mr. JOHNSON of Colorado. Yes; I yield.

Mr. McCARTHY. I wonder whether the Senator from Colorado will permit me to correct the quotations I previously gave from memory from General Zwicker's testimony. At this time I have the exact quotations before me, and I should like to have them appear in the RECORD at the point where I previously referred to the quotations.

Mr. JOHNSON of Colorado. Yes; I shall be glad to have that done.

Mr. McCARTHY. First, I read from page 70 of the hearings:

The CHAIRMAN. The day the honorable discharge was signed, were you aware of the fact that he had appeared before our committee?

General ZWICKER. I was.

The CHAIRMAN. And had refused to answer certain questions?

General ZWICKER. No, sir; not specifically on answering any questions. I knew that he had appeared before your committee.

Then I read from page 71, after further cross examination:

The CHAIRMAN. But now you indicate that you did not know that he refused to tell

about his Communist activities. Is that correct?

General ZWICKER. I know that he refused to answer questions for the committee.

You see, at that point, a page later in the printed hearings, General Zwicker said:

I know that he refused to answer questions.

I read further:

The CHAIRMAN. Did you know that he refused to answer questions about his Communist activities?

General ZWICKER. Specifically, I don't believe so.

Then, after further cross examination:

Now, is it your testimony now that at the time you read the stories about Major Peress, that you did not know that he had refused to answer questions before this committee about this Communist activities?

General ZWICKER. I am sure I had that impression.

Mr. President, I should like to ask the Senator from Colorado a question, if I may do so: In view of the three conflicting answers by General Zwicker—and let me say that in those instances he was not hiding behind a Presidential order; if he had been, he could have refused to answer—but in view of those three conflicting answers, how does the Senator from Colorado reconcile them with the statement in the select committee's report that General Zwicker was truthful and not evasive? Can the Senator from Colorado reconcile the three conflicting answers with that statement in the report? Let me say I am not submitting the question in the form of cross examination.

Mr. JOHNSON of Colorado. I thank the junior Senator from Wisconsin for not cross-examining me.

Let me say that I read all the testimony which now has been inserted in the RECORD. I was going to say that I read the testimony dozens of times, although that would be an exaggeration. However, I have read it very carefully at least a dozen times. I do not think one can pick out only one quotation and from it reach a firm determination.

I wish to say once more that when General Zwicker appeared before the committee in New York at the time of the cross-examination he was there without counsel. I think he was very foolish to appear without counsel, but he did; he walked in there without counsel. He had Presidential instructions. I do not have the instructions under which he was working, but he did have Presidential instructions, and also instructions from his superior, in regard to the matters with respect to which he could testify and the matters with respect to which he could not testify. Like all other Army officers—and let me say that my experience with Army officers has been that—to use a slang expression—they never stick their necks out; they are very careful about that. From the beginning of their Army service they have learned not to do that. So, without having counsel to rely on and to make the interpretations for him, the witness appeared reluctant. But when he appeared before our committee—

Mr. McCARTHY. Mr. President, may I interrupt?

Mr. JOHNSON of Colorado. The junior Senator from Wisconsin was present when General Zwicker testified before the select committee. He had counsel at his side, and when a question was propounded to him he let the counsel determine whether he should be permitted to answer the question, and when the counsel would give him a green light he would proceed. He was extremely frank.

I had to read into the questions of the junior Senator from Wisconsin his feeling in the matter. As I have stated already in my remarks, the junior Senator from Wisconsin was laboring under great difficulty on the day this cross-examination was held. Naturally he was perhaps a bit irritable. If nothing else made him irritable, it was the belated letter which he received from Secretary of the Army Stevens in reply to his letter of February 1. I think the reply was dated February 16, and was handed to him on the 18th. I can understand why the junior Senator from Wisconsin had reason to be infuriated by that kind of treatment, and by the kind of treatment accorded his request which, as I have already said, was a valid and reasonable request, and one which it was the Senator's duty to make of the Secretary of the Army. In view of the shabby treatment which the junior Senator from Wisconsin received, I can understand why he had a great deal of justification for being irritable and for being angry at the time he examined General Zwicker.

But I can also see General Zwicker's position. Here was a man who had had no part whatsoever, so far as judgment was concerned, or so far as policymaking was concerned. He was simply carrying out the order which was handed down to him; and, acting under all his limitations, I can see why he testified as he did.

I think we must take into consideration those sideline points when we try to judge the cold type testimony before us.

Mr. President, I now desire to continue with my prepared statement.

Nevertheless, it should be said that on January 30, 1954, in New York City, the junior Senator from Wisconsin learned for the first time that Major Peress would be given an honorable discharge whenever he asked for it. On Monday, February 1, 1954, by messenger, Senator McCARTHY handed the Acting Secretary of the Army a committee request to hold up the proposed separation of Major Peress. The Acting Secretary passed this matter on to his staff, and it decided to ignore Senator McCARTHY's demand that the honorable discharge be withheld, and the very next day Major Peress was officially separated from the service with an honorable discharge.

Mr. President, I wish to emphasize that General Zwicker was not on the staff which made the decision at the Pentagon for Acting Secretary Adams. The general was attending to his work, looking after the separation of men from the Military Establishment, and he had nothing whatever to do with the decision.

The action of the staff of the Acting Secretary of the Army amounted to a

flagrant disregard by the Army of a valid request by a committee of Congress, and one having great merit, and the junior Senator from Wisconsin had every right to resent it. I resent this haughty high-handedness on the part of the Army, and now declare it to have been both reprehensible and without excuse. However, General Zwicker, the separation officer, was in no degree responsible for this contemptible treatment of a congressional committee, and should not have been castigated and held up to scorn for carrying out the orders of his superiors. Accordingly, I was compelled by the evidence brought before the select committee to hold that the junior Senator from Wisconsin "without justification had impugned the loyalty, patriotism, and character of Gen. Ralph Zwicker."

Under the laws enacted by Congress, special registrants, consisting of physicians and dentists, made liable for service under the physicians and dentists draft law, are processed by the local boards in exactly the same manner as are regular registrants, under the Universal Military Training and Service Act, as amended, with the exception that each such registrant who has been found by the Armed Forces to be qualified physically, professionally, and in other respects, is offered an opportunity to be commissioned in the Reserve component of the designated service prior to such induction. Acceptance of such commission prior to induction results in the physician or dentist entering service as a commissioned officer rather than as an enlisted man, and also insures him of the additional \$100 a month pay provided for such persons who enter service prior to induction.

The law enacted by Congress provides for the drafting and induction of Communists as privates, noncommissioned officers, and commissioned officers into the military on precisely the same basis as for non-Communists. Also the law that requires dentists and doctors to be commissioned and promoted makes no reference to whether they are or are not Communists. In my opinion, no Communist should be drafted or inducted into any military establishment of the United States, and especially he should not be commissioned. However, until we ourselves, the Congress of the United States, change the law, we ought not to be too critical of the military who use the Communists, officers and men, we provide them.

In amplifying the facts dealing with the interrogation of General Zwicker it is important that we emphasize and reiterate the necessity for the investigating committees of the Senate to retain their full power and authority to act effectively.

It is in the public interest that the investigative arms of the Senate not be hampered by rules, which, however well intentioned and carefully drawn to meet a particular circumstance, will in their enforcement in other circumstances and on other occasions, permit wrongdoing to continue unknown and unpunished.

I hold strongly to the opinion that the Senate should never take any action which might in any way be interpreted

either by committees, individual Senators, or the public generally as meaning that an effort is being made to curb the power, authority, or responsibility of legislative or investigative committees of the Senate. The scope of the authority of the Senate's committees is by right, and ought to be, of the broadest and most sweeping nature.

There is ample precedent that a vigorous and searching inquiry by various Senate committees in the past has resulted in great public good. Many important legislative landmarks are the direct result of investigations which at the time were criticized as unduly harsh and strident. The lobby investigation by the late Senator Thaddeus Caraway, the shipping and mail subsidy investigation under the direction of former Senator Hugo Black, the Teapot Dome investigation by the late Senator Thomas J. Walsh, the Justice Department investigation by former Senator Burton K. Wheeler, the munitions investigation by former Senator Gerald Nye, the utility-lobby investigation by the late Senator Robert La Follette, Jr., and the stock-market investigation under the direction of the late Senator Robert Wagner, are examples of Senate committee probes in which strong words and vigorous actions were displayed. There can be no doubt of the ultimate good to the citizenry of the Nation resulting from these investigations.

In asserting this position, I do not condone bad manners, or the display of passion and temper, or abuse of witnesses by members of Senate investigating committees. There is neither need nor purpose in attacking the personal life of a witness, in holding him up to contumely and derision because his responses may appear to the interrogator to be evasive, or in denouncing him because he refuses to answer at all when within his legal right to refuse to answer.

The taunt, the name calling, the guilt by association, the pompous derision, are the stock in trade of the totalitarian countries, the governmental systems which free men despise. How ironic it would be if in exposing them, we would engage in the self-same practices and acts. In the United States, every person is presumed innocent until found guilty by a jury of his peers. A Senate committee investigation is not a trial by jury, and ought never to condemn out of hand.

I turn now to another facet of the charges against the junior Senator from Wisconsin and the recommendation for censure made by the select committee. It deals generally with those charges in the category of Incidents of Contempt of the Senate or a Senatorial Committee.

It seems to me that it would be useful if we better understand this charge. The select committee limited itself in this instance to specific findings that the junior Senator from Wisconsin personally maligned a Senator of the United States for carrying out specific duties assigned him by the Senate, and was contemptuous and irresponsible toward a duly constituted committee of the Senate which was carrying out specific duties assigned to it by the Senate.

There can be no question that the weight of the evidence preponderantly supported the findings and recommendations of the select committee in this instance. But the Senate of the United States, as a body, need not limit itself merely to these specific findings and recommendations. Just as a judge in a trial may take judicial notice of the fact that a particular day of the month fell on a Monday, so, too, may the Senate take judicial notice of plain, inescapable, accepted, and uncontroversial facts.

It has been testified, substantiated, and not denied by the junior Senator from Wisconsin, that in referring to the official actions of one of his colleagues, he questioned both his moral courage and his mental ability. In partial exculpation of that statement, the junior Senator from Wisconsin and some students of parliamentary practice have pointed out that the offensive action did not take place on the floor of the Senate of the United States, and therefore is not within the rules.

It is true that, in general, a member of a legislative body has wide discretion with respect to what he says or does off the floor, even when such remarks or actions deal directly with one of his colleagues. Except in the most unusual cases, such references, conduct, or action should not be questioned by the Senate.

But the gravamen of the remarks made by the junior Senator from Wisconsin with respect to one of his colleagues lies, not in the fact that it was made off the floor, but, rather, that it questioned an official action of his colleague, carried out in the line of that colleague's duties and responsibilities as a Member of this body. Any Senator has the right, even the duty in particular cases, to question, criticize, differ from, or condemn an official action of the body of which he is a member or of the constituent committees which are the working arms of the body. But no Senator has the right to impugn the motives of those who are in part or jointly responsible for the official action, nor to question or upbraid their personal characters.

If the rules, procedures, precedents, and customs of legislative bodies in general, and of this Senate in particular, permitted otherwise, no Senator could have freedom of action to perform his assigned committee duties. If a Senator must first give consideration to whether an official action of his can be questioned or traduced by a colleague in another place as having been motivated by a lack of the very personal capacities a Senator is presumed to have, the entire mechanism of the Senate's procedures is in jeopardy.

The facts are, however, that the junior Senator from Wisconsin on divers occasions has violated both Senate custom and decorum by personal first-person references to colleagues, by making a coarse play on the name of a colleague, and generally offending against good order and decent respect for the rights and feelings of his colleagues.

Let me make clear quickly that the junior Senator from Wisconsin is not alone in breaches of good order and de-

corum. But to exculpate the junior Senator from Wisconsin simply because some of his colleagues are equally guilty is the same as arguing that because one culprit is not prosecuted, a second culprit is ipso facto entitled to the same treatment. The Senate is considering and is concerned with the charges, the findings, and the recommendations made against the junior Senator from Wisconsin, and not against any other Member of this body. There is no validity in either law or good morals to excuse an offensive action by one because others have done it. The very fact that others indulge in such violations makes it doubly essential that this offensive and vile practice be stopped forthwith.

It is my judgment, based on long study of the history and procedures of parliamentary bodies, that the code of conduct of a member of a legislative body toward his peers is of the greatest importance to efficient, deliberate, and orderly processes of democratic government.

From the very beginning of representative government, from the days of the Greek city states to the mother of parliaments in Britain, and from the time of George Mason in the Virginia Assembly and Thomas Jefferson in the National Legislature, to the present moment, it has been recognized that members of a deliberative or legislative assembly must have exactly equal status. Every member must attribute to his colleagues the same virtues he attributes to himself, and accord to him the same honest and conscientious motivation that he imputes to himself. Without this comity of mutual respect and consideration, every member's actions become suspect, intelligent deliberation is turned into angry personal abuse and suspicion, and anarchy replaces order.

These are the reasons why rules of order and procedure were established in the earliest parliaments. These are the reasons why Thomas Jefferson regarded his manual as one of his most important contributions to democratic government. It is material, he asserted, that order, decency, and regularity be preserved in a dignified public body.

How wise and farseeing he was. Look about us in the world and consider what has been taking place. One of the most subtle and effective weapons of the worldwide Communist conspiracy against free governments is the move to break down orderly and decent procedures in the parliamentary bodies of the nations it seeks to envelop.

Personal attacks, public outcries, threats of violence, and actual acts of violence upon one member by another, impugning character, charging illegal or dishonest motives, assailing the conduct of members, insinuations of lack of fealty to the existing government or to the nation—all these have become commonplace in the parliaments of a number of European nations. It is no secret that the Communist members of the legislative assemblies or those sympathetic with their aims are the perpetrators of these outrages.

Does the junior Senator from Wisconsin desire me to yield to him?

Mr. McCARTHY. Mr. President, I wonder if I may ask the Senator to bear

with me for a moment longer, for a few more questions.

I refer the Senator to page 2, line 8, of the censure resolution. I wonder if there is not something here which the committee might wish to delete. I assume the censure resolution will pass. I assume the committee does not want anything in it which looks ridiculous.

In section 2 of the resolution I am accused of releasing executive hearings. I ask the distinguished Senator from Colorado if he is not aware of the fact that I had telegraphed to all members of the committee and asked for permission to release the executive hearings? I told them that all parties desired to release them. Prior to that time General Zwicker's affidavit had been released. I telegraphed members of the committee and told them to let me know if they objected, and stated that if I did not hear from them I would assume that I had their permission.

In view of that situation, does the Senator from Colorado believe that a Senator should be censured for doing what all the members of his committee agreed to?

Mr. JOHNSON of Colorado. With respect to making public the testimony, does the Senator now say that he is being censured for making public the testimony taken at the Zwicker-McCarthy hearings?

Mr. McCARTHY. I am reading from section 2 of the censure resolution. I am accused of having released executive hearings. The Senator knows—I say the Senator knows; he may not know, because he may not have been present at the time the telegrams were introduced in evidence, but there were introduced in evidence telegrams showing that I had received permission from the committee to release the testimony. It has long been the practice of the committee to release executive testimony on the vote of the committee. I wonder if the Senator wishes to take up with the committee the deletion of this particular line?

Mr. JOHNSON of Colorado. I did not attach vital importance to that particular line, taken out of context. I shall be glad to look at it. In the light of what the Senator says, I shall be glad to take another look at it.

I now wish to proceed—

Mr. McCARTHY. For the benefit of the Senator, I overheard the Senator from Utah [Mr. WATKINS] saying that it is not a question of the release of the executive hearings, but rather the release of a résumé of the hearings. I think the Senator from Colorado should have the benefit of this advice. Even though he cannot hear it I can hear it.

In that connection, I assume the Senator from Colorado is aware of the fact that I took up with my committee—Democratic members and Republican members—the question of how we should handle executive sessions. I told the other members how they were being handled, and stated that if there were any objections, we would change the practice. Any one of the three Democratic members, I am sure, will verify this statement, as will the Republican members. I wonder if it is desired to censure a Senator for following the prac-

tice of his committee. I do not think this is a vital matter, but it is of some importance.

Mr. JOHNSON of Colorado. I thank the Senator. As I understand, at the time of the McCarthy-Zwicker hearings, the junior Senator from Wisconsin told General Zwicker that he was going to make public the hearings. I did not understand that he had received in advance the permission of his committee to do so. He virtually told the general that he was going to hold him up to scorn, that he was going to give all the information to the public, which was entitled to it, and so forth. I have already placed that language in the RECORD.

Mr. McCARTHY. I ask the Senator to check the record and see if there is not in the record, first, testimony that I sent a telegram to all the members of the committee asking for permission to release the testimony; and second, that I told the committee what the practice was with respect to releasing a résumé, in order to prevent leaks. If the Senator finds such testimony in the record, I wish he would return to the floor and move that this line be deleted.

While the very able Senator from Colorado is on his feet, I should like—

Mr. WATKINS. Mr. President, before he proceeds to another matter will the Senator from Colorado yield to me in order that I may clear up the question which has just been discussed?

The PRESIDING OFFICER. The Senator from Colorado has the floor. To whom does he yield?

Mr. McCARTHY. I have no objection to the Senator from Colorado yielding to the Senator from Utah.

Mr. JOHNSON of Colorado. I yield to the Senator from Utah.

Mr. WATKINS. I invite attention to the fact that the following line of questions and answers occurred during the examination of the junior Senator from Wisconsin. The language to which I have referred is found on page 56 of the report. It is a quotation from the record of the hearing. I read from page 56 of the report:

On his right to reveal to the press what had been testified to at the Zwicker executive hearing, Senator McCarthy testified:

"Mr. DE FURIA. Senator, were you authorized by either the major committee or your Subcommittee on Permanent Investigations to reveal what transpired at the Zwicker executive hearing?"

"Senator McCarthy. I discussed the matter with the representatives of the two Senators who were present and we agreed, in view of the Stevens' statement, it should be released."

Mr. DE FURIA. You say you discussed it with the representatives of two Senators?

Senator McCarthy. That is correct.

Mr. DE FURIA. In spite of the rules of your own committee that all testimony taken in executive session shall be kept secret and will not be released or used in public session without the approval of the majority of the subcommittee?

Senator McCarthy. I felt that the two men who were present were representing the Senators, and they constituted a majority. There were only four Senators on the committee at that time.

Mr. DE FURIA. In a matter involving a general of the United States, then, you permitted an administrative assistant to exercise the prerogatives of the United States Senate?

Senator McCARTHY. I think I have recited the facts to you.

That appears at page 349 and page 350 of the hearings. I continue to read from the hearings:

Senator McCARTHY. May I say further, Mr. de Furia, in answer to your question, that General Zwicker had already released a distorted version of the testimony, through Bob Stevens, in affidavit form. I felt under the circumstances that the correct version should be released.

Mr. DE FURIA. Why, Senator, you released this first 2 or 3 minutes after your hearing concluded; did you not?

Senator McCARTHY. No; I did not. It was the transcript.

Mr. DE FURIA. You called in the press, did you not, right away?

Senator McCARTHY. I did not.

Mr. DE FURIA. To tell them what had happened in the executive session?

Senator McCARTHY. Mr. de Furia, if you want to know what the practice was here, and what the practice is—

Mr. DE FURIA. I do not want the practice.

Senator McCARTHY. I did not release the transcript.

Mr. DE FURIA. I am not talking about the transcript. But you did tell the press what happened in the closed executive session within a few minutes after that session ended?

Senator McCARTHY. I gave them a résumé of the testimony; yes.

Mr. DE FURIA. Sir, I am asking you, Upon what authority, or by what right, you did that?

Senator McCARTHY. Because that has been our practice.

Mr. DE FURIA. In spite of the rule of your own committee?

Senator McCARTHY. That has been the practice of the committee.

Mr. DE FURIA. General Zwicker's affidavit was not made until 2 days later; isn't that right, Senator? It is dated February 20.

Senator McCARTHY. I don't know what date it is dated, but the transcript was not released until after the distorted version of the testimony given by Zwicker.

Mr. McCARTHY. May I say—

Mr. WATKINS. I should like to finish, if I may, by saying that the statement in the amendment which the committee has ready to offer and which will be called up when we get to that point is not quite accurate. Apparently it is open to two interpretations. My personal feeling is that it ought to be amended as I had originally drafted that part of the amendment, so that it would be clear that what was released was a résumé, not the actual transcript prepared by the reporter after the reporter had had time to transcribe his notes.

I believe that point should be eliminated. Certain matters in that particular amendment can be deleted. Personally I feel that the language ought to be deleted. That matter will be taken up by the committee before we get to the final consideration of the perfecting amendments. I am glad the Senator from Wisconsin brought the matter up. I have given the record of what took place.

Mr. McCARTHY. Mr. President, will the Senator yield? I should like to correct the record which the Senator from Utah made. It is an incorrect record.

Mr. JOHNSON of Colorado. I have yielded to the Senator from Utah. I now yield to the junior Senator from Wisconsin.

Mr. McCARTHY. I should like to correct the record which the Senator from Utah has made. It is an incorrect record. I am sure the Senator from Utah did not make it on his own responsibility, but that the record was handed to him as the complete record. The record shows that what he read is accurate; but it should be shown that after that testimony we checked the committee files, and we brought back the telegrams that had been sent to the Senators. Those telegrams showed that we received permission from the Senators to release the executive session testimony. Therefore, when the Senator from Utah reads from the record to the effect that the testimony was released upon the advice of the administrative assistants, he is giving only half the story. That was the accurate story at the time. However, we came back and we gave him the telegrams, and he knew what the telegrams said, and he knew we had permission to release the testimony of the Zwicker executive session. So much for that.

I should like to refer now, if I may, to something which I consider to be of the utmost importance. McCARTHY is completely unimportant in this matter. What I have in mind is something we will have to live with for the next 30 or 50 or 60 years. I refer to page 30 of the committee report, to which the Senator from Colorado has referred in his speech.

In its report, the Watkins committee finds that a Senator does not have a right to criticize an individual Senator. I should like to state to the Senator from Colorado that, although I have criticized him for not having told us about the statements he had made before he became vice chairman of the Watkins committee, I still have a high respect for the Senator from Colorado.

I should like to ask him this question: Does he not believe that we would be setting a very dangerous precedent if we were to say—and this is regardless of Joe McCarthy or John Jones or any other Senator—that no Senator may criticize a member of a committee? In other words, do we lose freedom of speech when we become Senators?

Mr. JOHNSON of Colorado. As I see it, the rule is what I have stated in my remarks, namely, that while a Senator has a right to criticize actions of a Senator or a committee, no Senator has a right to impugn the character or the motives of the official members of the Senate in reaching a decision.

Mr. McCARTHY. Mr. President, I should like to ask the Senator one further question. It is very important.

Mr. JOHNSON of Colorado. I yield.

Mr. McCARTHY. Let us assume that in 1970—let us forget about 1954—let us state that the motives of a Senator are bad. Let us assume that the Senator is completely dishonest. That is entirely possible, in a membership of 96 Senators. Let us assume that the Senator's motives are bad. If we now adopt this rule, no Senator would ever be permitted to disclose the dishonesty and the bad motives of another Senator. I wonder if that would not be setting a very dangerous rule.

Mr. JOHNSON of Colorado. There is a vast difference, as the Senator from Colorado understands, between criticizing the official acts of committees or Members of the Senate, on the one hand, and impugning the character and the motives of Senators and members of committees, on the other hand. However, I wish to go ahead with my remarks.

Mr. McCARTHY. May I ask one more question of the Senator?

Mr. JOHNSON of Colorado. I should like to finish my remarks.

The PRESIDING OFFICER. Does the Senator from Colorado yield further to the Senator from Wisconsin?

Mr. JOHNSON of Colorado. I yield.

Mr. McCARTHY. My question refers to the part of the report of the committee which bothers me most. I do not care whether the Senate censures McCARTHY. I believe there are enough votes in the Senate to vote censure. I am very much disturbed, however, about adopting the rule set forth at page 30 of the report. I should like to have all members of the select committee express their views on this point. I do not believe the part of the report to which I refer was written by the Senator from Colorado, or by any other member of the select committee. I believe it was written by a counsel, who did not know what he was doing. I wonder if it is the position of the Senator from Colorado that a Senator is subject to censure if he criticizes the motives or the character of a Senator, assuming that his motives are bad beyond words, and assuming that his character is bad beyond words. Are we precluded from talking about the matter?

Mr. JOHNSON of Colorado. Perhaps the Senator from Wisconsin did not hear me, but I said I hold strongly to the opinion that the Senate should never take any action which might in any way be interpreted, either by committees, individual Senators, or the public generally, as being an effort to curb the power, authority, or responsibility of legislative or investigative committees of the Senate. The scope of the authority of the Senate committees is by right, and ought to be, of the broadest and most sweeping nature.

The Senator from Wisconsin asked me what I thought about these things. I am sure the other members of the select committee will testify that all through the hearings I was a stickler for these very principles.

I should like to proceed with the remainder of my statement, Mr. President.

Mr. WELKER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. WELKER. May the distinguished Senator from Colorado be permitted to continue without interruption?

The PRESIDING OFFICER. The Senator from Colorado has the power to decline to yield.

Mr. JOHNSON of Colorado. I thank the Senator from Idaho.

I now resume reading my statement. The motive is clear. The objective is a breakdown in the parliamentary system. The provocateurs know that even the most decent and lawabiding of hu-

man beings can stand only so much provocation. The aim is to tantalize and provoke to the breaking point, to the end where the most orderly of parliamentarians in sheer self-defense are literally forced into the same tactics. The result is a breakup in the legislative assembly, the end of sane deliberations and mutual respect, and chaos. The next step is an insistent outcry from an outraged citizenry for strong leadership, and totalitarianism takes over.

I had wished that I might end my Senate career on a happier note. I bear no man malice or ill-will. This has not been a pleasant duty for me. I value, above anything I have done in my lifetime, my tenure in this great body. I treasure the friendships and associations I have been privileged to make here. I am jealous of the good name of this great institution, of its prerogatives, its responsibilities, its symbolism to an unhappy and worried world as the last citadel of free men, freely expressing their minds and their hearts.

I believe with all my soul that this body must preserve its dignity, its august reputation, its tradition. I am, as those who know me well must realize, momentarily troubled by the wounds it has received. But I leave it strong in the belief and fervent in the hope that my grandchildren, and their children will, in their adulthood, point to the Senate of the United States with pride as the great bastion of honor, decency, responsibility, and nobility among the parliaments of free men.

Mr. President, I ask unanimous consent to insert in the RECORD some excerpts from the hearings before the select committee. They are all in the testimony in the hearings.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

Mr. DE FURIA. Will you please tell us, sir, what happened after General Zwicker was asked to step down from the witness stand?

Captain WOODWARD. General Zwicker, when he was asked to step down from the witness stand, was told by Senator McCARTHY—I think he shook his finger at him—"General, you will be back on Tuesday, and at that time I am going to put you on display and let the American public see what kind of officers we have." (Select committee hearing, p. 451.)

Mr. DE FURIA. Will you tell us, please, Captain, what was the remark about fifth amendment and General Zwicker, who made it, and the exact words, if you can give them to us?

Captain WOODWARD. Sir, I remember that very, very correctly. The statement—

Mr. DE FURIA. Who made the statement?

Captain WOODWARD. The statement was made by Senator McCARTHY. It was made rather early in the hearing while he was questioning General Zwicker. At the time General Zwicker was pausing to get an answer for a question Senator McCARTHY looked at his colleagues and, laughingly, said, "This is the first fifth-amendment general we've had before us." (Select committee hearing, p. 451.)

The CHAIRMAN. Who notified you that you would receive an honorable discharge?

Mr. PERESS. I don't believe I was officially notified. It was just tendered to me when I left.

The CHAIRMAN. It was handed to you?

Mr. PERESS. Yes; as part of my records.

The CHAIRMAN. Let's have the record show that this is signed February 2, 1954. This was handed to you on what date?

Mr. PERESS. February 2, 1954.

The CHAIRMAN. Let us have the record show that this was signed and handed to this fifth amendment Communist, Major Peress, after I had written the Secretary of the Army suggesting that he be court-martialed, suggesting that everyone having anything to do with his promotion, with his change of orders, be court-martialed. I did that feeling that this would be one way to notify all the officers in the Army and all the enlisted men, that there has been a new day in the Army, that the 20 years of treason have ended, and that no officer in the Army can protect traitors, can protect Communists. I want the record to show this was given to you after that letter had been made public, before the Secretary of the Army, Robert Stevens, returned to the United States. I ask, Mr. Adams, where is John J. McManus now?

Mr. JOHN ADAMS (legal counsel to Department of the Army, Washington, D. C.). I don't know, Mr. Chairman. I presume he is an officer in headquarters, First Army.

The CHAIRMAN. Will we have to subpoena him, or will he be produced?

Mr. ADAMS. He will be produced. (Select committee hearings, p. 219.)

Mr. DE FURIA. I repeated my question three times, and I think I remember what I said, sir, and that was:

"Did he express his personal feelings about the claim of the refuge of the fifth amendment and about the separation order and about the honorable discharge?"

I did not ask him about whether he objected to those things because of the Presidential orders.

Mr. WILLIAMS. What was the purpose of the inquiry if we weren't going to get that information?

Was it to leave an inference?

Mr. DE FURIA. I don't think I have to answer that, Mr. Williams.

Mr. WILLIAMS. When you expressed your opinion, General, were you for it or against it?

That is the next question: Were you for these things or against them; to clear the record up on it?

(At this point General Zwicker conferred with Colonel Johnson.)

Mr. WILLIAMS. Don't you have the record, Mr. Reporter, where Mr. de Furia asked the witness—

General ZWICKER. Mr. Williams, I have been informed by my counsel that he indicates that I may answer your question in the manner which I hope will be satisfactory to you.

I am informed by my counsel I may answer your question in this manner: That my personal opinion was that I was very much opposed to any change in grade of Peress, regardless of how it was accomplished; that I was very much opposed to his receiving an honorable discharge.

And what was the third factor?

Mr. DE FURIA. About his claim of refuge in the fifth amendment.

General ZWICKER. Yes, sir; and was very much opposed to any officer in the United States Army invoking the fifth amendment.

Mr. WILLIAMS. Did you express this opinion to anyone, sir?

General ZWICKER. I did.

Mr. WILLIAMS. Did you express this opinion to persons in the service?

(At this point General Zwicker conferred with Colonel Johnson.)

Did you express it to—

The CHAIRMAN. Just a moment. He hasn't answered yet. Let's get the answer before you ask him another question.

General ZWICKER. My counsel says I am now at the end of the rope.

Mr. WILLIAMS. Why couldn't you give those answers, General, to the questions that were propounded to you on February 18?

General ZWICKER. For the same reason I am not able, apparently, to give a satisfactory answer to those questions today.

Mr. WILLIAMS. The answers you have just given, sir, that you expressed your opinion personally to these actions—why couldn't you have given those answers on February 18?

General ZWICKER. I don't know, Mr. Williams. My opinion is, Had they been presented in that way, I may have been able to do it.

However, I would like to make this statement:

That I am much, much more familiar with proceedings and hearings and what I could say and what I couldn't say now than I was on February 18.

Mr. WILLIAMS. Thank you, sir. (Select committee hearings, pp. 560-507.)

The CHAIRMAN. And may I ask this question:

Did you have counsel with you at that time?

General ZWICKER. No, sir; I did not.

The CHAIRMAN. Had you consulted counsel before you went into that hearing?

General ZWICKER. No, sir; except, again, in order that it not be brought up, I did talk to Mr. Adams, of course, and Mr. Haskins, but having no bearing, sir, on my testimony on the day of the 18th.

The CHAIRMAN. In fairness to you, probably we ought to bring to the attention now of the committee this testimony appearing on page 146:

"Mr. COHN. Now, General, would you like to be able to tell us exactly what happened in that case, and what steps you took and others took, down at Kilmer, to take action against Peress a long time before action was finally forced by the committee?"

"General ZWICKER. That is a toughie."

Do you find it?

General ZWICKER. Yes, sir; I do.

The CHAIRMAN. To continue:

"Mr. COHN. All I am asking you now is if you could, if you were at liberty to do so, would you like to be in a position to tell us that story?"

"General ZWICKER. Well, may I say that if I were in a position to do so, I would be perfectly glad to give the committee any information that they desired."

"Mr. COHN. You certainly feel that that information would not reflect unfavorably on you; is that correct?"

"General ZWICKER. Definitely not."

"Mr. COHN. And would not reflect unfavorably on a number of other people at Kilmer and the First Army?"

"General ZWICKER. Definitely not."

"The CHAIRMAN. It would reflect unfavorably on some of them, of course."

"General ZWICKER. That I can't answer, sir. I don't know." (Select committee hearings, pp. 507-508.)

"The CHAIRMAN. You have a rather important job. I want to know how you feel about getting rid of Communists."

"General ZWICKER. I am all for it."

"The CHAIRMAN. All right. You will answer that question, unless you take the fifth amendment. I do not care how long we stay here, you are going to answer it."

"General ZWICKER. Do you mean how I feel toward Communists?"

"The CHAIRMAN. I mean exactly what I asked you, General; nothing else. And anyone with the brains of a 5-year-old child can understand that question."

"The reporter will read it to you as often as you need to hear it so that you can answer it, and then you will answer it."

"General ZWICKER. Start it over, please."

"(The question was reread by the reporter.)"

"General ZWICKER. I do not think he should be removed from the military."

"The CHAIRMAN. Then, General, you should be removed from any command. Any man who has been given the honor of being promoted to general and who says, 'I will protect another general who protected Communists,' is not fit to wear that uniform, General. I think it is a tremendous disgrace to the Army to have this sort of thing given to the public. I intend to give it to them. I have a duty to do that. I intend to repeat to the press exactly what you said. So you know that. You will be back here, General."

"Do you know who initiated the order for the honorable discharge of this major?"

"General ZWICKER. As a person, sir?"

"The CHAIRMAN. Yes."

"General ZWICKER. No; I do not."

"The CHAIRMAN. Have you tried to find out?"

"General ZWICKER. No; I have not."

"The CHAIRMAN. Have you discussed that matter with Mr. Adams?"

"General ZWICKER. As a person; no, sir."

"The CHAIRMAN. How did you discuss it with him other than as a person?"

"General ZWICKER. I mean as an individual. This is a Department of the Army order."

"The CHAIRMAN. Have you tried to find out who is responsible?"

"General ZWICKER. Who signed this order?"

"The CHAIRMAN. Who was responsible for the order?"

"General ZWICKER. No, sir; I have not."

"The CHAIRMAN. Are you curious?"

"General ZWICKER. Frankly, no."

"The CHAIRMAN. You were fully satisfied then, when you got the order to give an honorable discharge to this Communist major?"

"General ZWICKER. I am sorry, sir?"

"The CHAIRMAN. Read the question."

"(The question was read by the reporter.)"

"General ZWICKER. Yes, sir; I was." (Select committee hearings, pp. 75-76.)

Mr. DE FURIA. February 16, 1954, to Hon. JOSEPH R. MCCARTHY, from Robert T. Stevens, Secretary of the Army. I have a copy here that I should be very happy to pass down to you, Senator.

Senat- STENNIS. Thank you, Mr. Chairman.

The CHAIRMAN. Do you wish to ask any further questions, Senator STENNIS?

Senator STENNIS. No; thank you.

The CHAIRMAN. I understood generally that the committee would ask questions after the counsel had finished.

The committee members, of course, may ask questions at any time they desire.

Are there any members of the committee who wish to ask the witness any questions at this stage?

Senator JOHNSON. I have some questions.

The CHAIRMAN. Senator JOHNSON.

Senator JOHNSON. General ZWICKER, are you a graduate of West Point?

General ZWICKER. Yes, sir.

Senator JOHNSON. You have been in the Army all your life, then, since graduation?

General ZWICKER. Yes, sir.

Senator JOHNSON. Have you ever resented, or have you ever expressed resentment with respect to, letters to you from Members of Congress, or inquiries by Members of Congress concerning military personnel serving under your command?

General ZWICKER. No; and quite the contrary, sir.

Senator JOHNSON. Would you and do you and have you classed congressional letters or inquiries as PI, meaning political influence?

General ZWICKER. No.

Senator JOHNSON. Have you ever marked such letters "PI" and attached them to the files of military personnel serving under you?

General ZWICKER. Never.

Senator JOHNSON. You have never been provoked or expressed provocation over inquiries made to you by Members of Congress with respect to personnel serving under you?

General ZWICKER. No, sir; not provoked.

Senator JOHNSON. What would you call it then, if not provoked?

General ZWICKER. Well, it adds a great burden to the work that has to be done at any headquarters at some time or other, Mr. Senator, and it is just another time-consuming function which we, as post commanders, or anyone associated must perform. Of course, we must reply to those letters and it is a time-consuming function.

Senator JOHNSON. And an onerous function?

General ZWICKER. Yes, sir. If you wish me, I could give you my opinion of such letters.

Senator JOHNSON. Well, I would like to have your opinion of such letters, sir.

General ZWICKER. For a long period of time, from the time I arrived at Camp Kilmer until almost the first of 1954, I was averaging six congressional letters a day. It required that those letters be answered within 48 hours after their receipt. Each of such letters had something to do with personnel who were either at or being processed through Camp Kilmer.

I, myself, and I was very careful to instruct my staff that these letters be given the fullest consideration because it was my experience that they were, a portion of such letters were, in fact, correct and, in fact, had brought to my attention or someone else's attention an injustice of some kind that should be corrected.

Therefore, it has always been my opinion that regardless of how many we get, how many which may not have any substance in fact, that there are always bound to be some which call to our attention correctable deficiencies. Therefore, each must be investigated thoroughly and each must be answered frankly, and if there is corrective action necessary, it should be taken immediately.

Senator JOHNSON. You have taken these inquiries seriously then?

General ZWICKER. Yes, sir; very seriously.

Senator JOHNSON. And courteously?

General ZWICKER. Yes, sir.

Senator JOHNSON. You, of course, understand that Members of Congress must pass on inquiries to the military and that the right of petition is a constitutional right, and that soldiers are entitled to that right the same as other civilians?

General ZWICKER. Yes, sir.

Senator JOHNSON. Is that your belief?

General ZWICKER. Yes, sir.

Senator JOHNSON. And your attitude?

General ZWICKER. Yes, sir.

Senator JOHNSON. General, do you have a right to be more frank in your testimony today than you had in the hearing before Senator MCCARTHY?

Are the wraps off today and were they not off when you testified before Senator MCCARTHY?

General ZWICKER. I do not believe there is much difference, sir. I think that the rules have been relaxed to permit me to testify here to certain things that I felt I could not testify to at the time that Senator MCCARTHY had his hearing.

Senator JOHNSON. Then there were no more restrictions when you testified before Senator MCCARTHY than are imposed upon you at this time?

General ZWICKER. I do not believe so; no, sir.

Senator JOHNSON. That is all, Mr. Chairman.

The CHAIRMAN. Does any other Senator wish to question the witness? If not, Mr. Williams, you may proceed.

Mr. WILLIAMS. Thank you, Mr. Chairman. General, as I understand you, sir, you took command at Camp Kilmer in July 1953; is that right?

General ZWICKER. Yes, sir.

Mr. WILLIAMS. Where had you been assigned prior to coming to Camp Kilmer?

General ZWICKER. Immediately prior to that, I was assistant division commander

of the Fifth Infantry Division at Indiantown Gap, Pa.

Mr. WILLIAMS. It was in August, as I understood it from your testimony, that you became aware of the Irving Peress case; is that right?

General ZWICKER. That is right. (Select committee hearings, pp. 467-468.)

SPEECH ON FEBRUARY 22, 1954, IN PHILADELPHIA AT THE SONS OF THE AMERICAN REVOLUTION CHAPTER

Senator MCCARTHY. I don't know. I don't remember what I said at that speech.

Mr. WILLIAMS. Do you have anything there to refresh his recollection on that, Mr. de Furia?

Mr. DE FURIA. Only a newspaper article, sir; that is all; but we will check into it.

Mr. WILLIAMS. May we see that?

Mr. DE FURIA. Yes; I will be glad to show you the article.

(Mr. de Furia shows Mr. Williams a paper.) Senator MCCARTHY. Can I answer you, Mr. de Furia?

Was this after the transcript was made public?

Mr. DE FURIA. Apparently so. The article says you read portions of the transcript at the luncheon.

Senator MCCARTHY. I am curious. I am not trying to cross-examine you, but the transcript was made public after Zwickler's affidavit and I wondered if you would know whether this was after that or not.

Mr. DE FURIA. Apparently it was, Senator; I can only fix the date from the news story which is the 22d and apparently your speech was either the 21st or that same day, sir.

Senator MCCARTHY. I may well have read portions.

Mr. de Furia?

Mr. DE FURIA. Yes, Senator.

Senator MCCARTHY. I made an off-the-cuff speech at that time, and I very honestly cannot tell you what I said, or what transcripts or what documents I read from. I just wouldn't know and I wouldn't attempt to swear to it under oath.

The CHAIRMAN. Did you discuss the appearance of General Zwickler before the committee at this executive session in New York, the one in question?

Senator MCCARTHY. Senator Watkins, I make a great number of speeches and I make them off the cuff. This was off the cuff. I do not know what I discussed.

The CHAIRMAN. I wanted to be sure about that. If you do remember, and I realize that you do make a lot of speeches and it is difficult to remember those things, all I can ask you to do is to do the best you can to give us the information.

Senator MCCARTHY. I might well have discussed the Zwickler case at that time.

The CHAIRMAN. What was the date of that article in the newspapers?

Mr. WILLIAMS. Dateline February 22.

Mr. DE FURIA. February 22, 1954; yes, sir.

Mr. WILLIAMS. It sounds like a Washington Birthday speech.

Mr. DE FURIA. Senator, can you affirm or deny that at that speech, in discussing the General Zwickler case, you said:

"As I look over it today, I was too temperate. If I were doing it today I would be much stronger in my language."

Senator MCCARTHY. As I say, I just cannot recall what was said in this off-the-cuff speech. There was no prepared transcript. I made notes during the luncheon, as I recall, and I gave a speech. That is all I can tell you. (Select committee hearings, p. 356.)

General ZWICKER. Mr. Anastos said to me, "We understand that you have a dental major in the Dental Corps, stationed at Kilmer, who is alleged to have a Communist background and has failed to sign the necessary form," and other words of that general nature.

I replied, after having gotten the question, and after the first part of the call, having called Mr. Anastos back to be sure I was talking to Mr. Anastos, and that he was definitely a representative of Senator McCARTHY's committee. I said—and Mr. Anastos should recall it—"Mr. Anastos, I believe that the person to whom you were referring is Maj. Irving Peress." (Select committee hearings, p. 466.)

SEPTEMBER 8, 1954

Mr. WILLIAMS. Senator, I want to ask you to describe if you will in the most accurate manner, but in a very brief time, the demeanor, the attitude, of this witness as he testified before the committee.

Senator McCARTHY. I would say he was one of the most arrogant, one of the most evasive witnesses, that I have ever had before my committee, one of the most irritating.

The CHAIRMAN. Just what did he do, other than answer the questions? Was there something with respect to his manner? We have the record before us as to what he said. It is somewhat in the nature of a conclusion, but if you can get us some of the facts that helped you to arrive at that conclusion, we would appreciate it, because we did not see it. We were not there.

Senator McCARTHY. Mr. Chairman, you have been a judge for quite some time. It is impossible to describe in detail the arrogance of a witness. He shows it when he appears before a committee. He displayed it that morning when he sat in the audience calling me a S. O. B. because—

The CHAIRMAN. You did not know about that.

Senator CASE. Mr. Chairman.

The CHAIRMAN. You did not know about that at the time you were examining him.

Senator McCARTHY. I did not, but the attitude was in complete keeping with it, Mr. Chairman. All you do is to look for demeanor of a witness, his attitude, his evasiveness, and you know as a judge and as a lawyer that you cannot put your finger on specific items. You have got to sum the whole attitude up in one parcel, and I merely mentioned the morning because I knew about that, to show that his attitude in the afternoon was in keeping with his attitude in the morning. His attitude on the stand was about the same as in the morning; in other words, that the chairman was an S. O. B. and he wouldn't answer unless he had to.

The CHAIRMAN. Of course, we heard the other witness. You are assuming, of course, that what he said was the truth. We do not know all of the meaning that he had in connection with it. At any rate, that is before us, to be considered. In all good faith, I asked if there were anything in his mannerism that you could give us as a fact, what he did—his tone, and a lot of things, I mean, which might tend to make a man conclude that he was arrogant.

I mean, aside from the answers that he gave, the factual matters with the statements and the answers, themselves—I wonder if there was anything in his physical appearance or his physical action at the time, that you used as a basis for concluding that he was arrogant.

Senator McCARTHY. Mr. Chairman, all I can say is that his whole attitude when you talk with him, in connection with his refusal to answer questions and his evasiveness, you would get the picture, but you cannot get it from the printed record; and all I can say is, the full attitude was one of complete arrogance, complete contempt of the committee. (Select committee hearings, pp. 203-204.)

The CHAIRMAN. Mr. de Furia, do you have any further questions?

Mr. DE FURIA. Yes, sir.

General, did you promote Peress?

General ZWICKER. I definitely did not.

Mr. DE FURIA. Did you discharge him with an honorable discharge?

General ZWICKER. I did, sir.

Mr. DE FURIA. Was that on your own initiative or under orders, sir?

General ZWICKER. It was under orders. (Select committee hearings, p. 505.)

Mr. DE FURIA. What happened after you stepped down from the witness stand?

General ZWICKER. Senator McCARTHY addressed me and said—

Mr. DE FURIA. I want the number of persons present. Did anybody else come in the room or did anybody leave the room?

General ZWICKER. No one entered or left the room immediately, sir.

Mr. DE FURIA. Very well. Go ahead.

General ZWICKER. Senator McCARTHY looked at me, and he said, "General, I'm going to have you back here Tuesday and put you on display before the public in order that they may see just what kind of incompetent officers we have in our Army." (Select committee hearings, p. 460.)

Mr. CASE. Mr. President, will the Senator from Colorado yield?

Mr. JOHNSON of Colorado. I yield.

Mr. CASE. Mr. President, I merely wished to observe that the splendid presentation made by the Senator from Colorado is evidence characteristic of the impartiality and the dispassionate way in which he met the several matters which came before the select committee. Whether the Senator from Colorado and I saw exactly the same or now see exactly the same with reference to all of those matters is immaterial. I believe that the wish he has expressed that his grandchildren and their children will point to the Senate of the United States with pride as the great bastion of honor, decency, responsibility, and nobility among the parliaments of freemen will be one of the classic remarks credited to the Senator for all time.

I desire to express my personal appreciation of the statement he has made. I personally regret that he is leaving this body. I think, however, we all understood the considerations which impelled him to make the decision to leave the Senate, and we wish him Godspeed in connection with his duties as Governor of Colorado after the first of January.

Mr. JOHNSON of Colorado. Mr. President, I am grateful to my colleague, the Senator from South Dakota, for the very generous statement he has made and for the good wishes he has extended to me.

Mr. WELKER. Mr. President, will the Senator from Colorado yield?

Mr. JOHNSON of Colorado. I yield to my friend from Idaho.

Mr. WELKER. Mr. President, I join with the distinguished Senator from South Dakota in saying that we are sorry we have heard the final speech of the distinguished Senator from Colorado in the Senate of the United States. I have no better friend on the floor of the Senate than is the able Senator from Colorado, and Mrs. Welker has no better friend than is Mrs. Johnson. We wish them nothing but complete happiness in one of the great States of the Union.

What I have now to propound to my distinguished friend is based upon a matter of precedent and law which I should like to have clarified; and I certainly want no one to think that I am trying to impugn the high honor and in-

tegrity of my distinguished friend from Colorado in making the inquiry.

With that preface, the Senator will recall that at the outset of the debate I introduced into the RECORD a letter written by the Senator from Colorado prior to his service on the select committee. Among other things, he stated:

I agree with you, also, that General Zwicker and some of the other men in uniform were evasive and resentful of having a committee of Congress make inquiry into military matters. The military has the feeling that Congress has no right to question them. In that attitude they are completely wrong.

Sincerely,

EDWIN C. JOHNSON.

This letter was written in long hand by the senior Senator from Colorado to a friend.

From the Senator's discussion this afternoon I take it that he has completely changed his mind after seeing and observing General Zwicker upon the stand. Is that correct?

Mr. JOHNSON of Colorado. That is correct. I changed my mind completely upon seeing and hearing the witness testify before our committee. I changed my mind somewhat on another point, not exactly covered in that letter, which I think is of importance. I made excuses for the junior Senator from Wisconsin for being irritable on that particular occasion. I realize that things happen to us that make us all irritable at times. But the point which bothered me more than did anything else in this whole Zwicker episode was the fact that 6 months after the Zwicker hearing, when the junior Senator from Wisconsin, or, at least, his committee, had evidence from the Secretary of Defense, giving him the names of 30 officers who had anything to do with the induction, service, or promotion, or the discharge of Major Peress, and when General Zwicker's name did not appear in that list of 30 names, the junior Senator from Wisconsin was not in the least softened in his attitude toward General Zwicker. He felt just the same toward him, so far as I could see, as he felt on the 18th of February.

I felt aggrieved that that was the case, because I considered he had had additional information. I do not wish to digress too much and make my answers too long, but it seems to me that some committee ought to call in those 30 officers who had anything to do with the induction or promotion or honorable discharge of Major Peress, a procedure which General Zwicker condemned.

It seems to me that they should be called in and be questioned by a committee of Congress, to ascertain what their thinking was and what their attitude was or might have been toward the Communist international conspiracy. I hope that one of these days a sufficient number of these officers will be called before committees of Congress, so that the people may know absolutely and completely who was responsible for the promotion of Major Peress, who was responsible for his honorable discharge, and the names of the officers who were responsible for ignoring the request—the reasonable and valid request—which the

junior Senator from Wisconsin propounded to the Secretary of War that Major Peress be not discharged until the committee had an opportunity to examine further into the whole situation with respect to him. I hope that some committee of Congress will explore the whole matter from top to bottom.

I am concerned about this because General Zwicker was, in my opinion—and I have read the evidence backward and forward and have studied it carefully—entirely innocent of any wrongdoing, either at the time of his testimony before the able junior Senator from Wisconsin or in his testimony before the select committee. I believe that he was not at any time, in any of his actions, deserving of the language used by the junior Senator from Wisconsin toward him—language so very brutal and very harsh.

Mr. WELKER. May I ask the Senator from Colorado one question on that point? Then I will yield to the Senator from Wisconsin.

Mr. JOHNSON of Colorado. I have changed my mind.

Mr. WELKER. I have no doubt about that.

Mr. JOHNSON of Colorado. I felt compelled, when I became a member of the select committee, to go by the evidence, and not by any personal ideas which I might have had with respect to the reluctance, the mannerisms, or the attitude of General Zwicker before the McCarthy committee.

Mr. WELKER. I shall go into that later, after I have yielded to the Senator from Wisconsin.

The Senator from Colorado has stated that he is anxious to have congressional committees call before them the 30 or so witnesses, in order to ascertain who promoted and honorably discharged Major Peress. I wonder if my distinguished friend from Colorado will not agree with me that perhaps it is the obligation of the Army of the United States and those in the executive branch of the Government to do a little investigating of their own to learn who promoted and honorably discharged Peress. Would not the Senator from Colorado agree with me on that?

Mr. JOHNSON of Colorado. I think they might very well do so. Since the Senator from Idaho has asked me that question, I may say that I asked Secretary of War Stevens, in a private conversation, why that was not done or why it had not been done.

Secretary Stevens said that the committees of the Senate knew the names of all those officers and that if the committees desired to call them and examine them the officers were available for examination. He said the committees could call the officers any time it was desired to do so to obtain the answers to these questions.

Mr. McCARTHY. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. McCARTHY. The Senator has made that statement several times today. I have the list of 30 officers, which was given to us by the Department of the Army.

Mr. JOHNSON of Colorado. I have been told about that list, but I have never seen it.

Mr. McCARTHY. It would not be surprising to the Senator if he saw it. It contains the names of persons in the Office of the Surgeon General, the Office of the Adjutant General, the Office of the Assistant Chief of Staff, and the headquarters of the Department of the Army.

My staff has been calling some of these individuals. We have been given the names of persons in the Office of the Surgeon General who know nothing about Major Peress. Because Major Peress had to submit for a final physical examination, we were given the names of persons in the Surgeon General's Office. We have made a test run on those names, and have found that those persons know nothing about Major Peress.

We know, and the Senator from Colorado knows now, that Bob Stevens knows the names of those who ordered the honorable discharge for Peress, because Secretary Stevens told the Senator's committee that my letter went to John Adams, and from there, he said, to responsible officials, who decided that an honorable discharge would be granted forthwith.

So that information is known to the Secretary of the Army.

This is a completely phony list. To give us the names of 5 or 6 junior officers in the Office of the Surgeon General, and to suggest that we ask them about the promotion, simply because Peress had to be physically examined, is about the phoniest thing which could be imagined.

However, I instructed my staff to make a dry run, to see if they could get any information. The answer is, "No." As of today all the information I have is that General Zwicker was the man who recommended the promotion of Peress. General Zwicker was in touch with the Pentagon on the morning Peress got his honorable discharge. General Zwicker and others in the Pentagon knew that Peress was subject to court-martial. They knew that the offense carried a penalty of up to 5 years. They knew that if they discharged him with the penalty not being in excess of 5 years, he would be removed from the jurisdiction of the Army. They took immediate steps to remove him from the jurisdiction of the Army.

The sworn testimony of Peress was that he went to Zwicker, and that he did not ask for an honorable discharge. This is all a matter of record.

I simply wish to keep the record clear by stating that the list of 30 persons is a completely phony list. The Army knows who promoted and honorably discharged this fifth-amendment Communist. There is no question about it. Why do they not tell us? I ask the senior Senator from Colorado to try to answer that question, if he can. Why do they not tell us now, before the debate ends?

I ask the senior Senator from North Carolina [Mr. ERVIN] if I may have the attention of the senior Senator from Colorado [Mr. JOHNSON], please.

When I said to General Zwicker that any general who would cover up and pro-

tect a fifth-amendment Communist—in other words, a traitor—does not deserve to wear the uniform of a general, I meant it, I mean it today, and I shall mean it forever.

Mr. JOHNSON of Colorado. All I can say is that if General Zwicker was responsible for the promotion of Major Peress, or if he was the man who determined the policy with respect to the honorable discharge of Major Peress, then General Zwicker should be tried for perjury, because we have his sworn statement to the contrary. We have the sworn statement of General Zwicker that he was opposed to the promotion of Major Peress, that he was opposed to an honorable discharge being given to him, and that he resented any Army officer hiding behind the fifth amendment. General Zwicker, in his sworn testimony, testified to those facts.

Mr. KNOWLAND. Mr. President, I wonder if the Senator from Colorado will yield for an inquiry at this point?

Mr. JOHNSON of Colorado. I yield.

Mr. KNOWLAND. I was hopeful, without the Senator losing the floor and without changing the parliamentary situation, that we might have an agreement for a quorum call, after which I desired to propound a proposed unanimous-consent agreement relative to time. I had given notice previously that before propounding the proposed unanimous-consent agreement, there would be a quorum call. I was hopeful that before the hour got too late this afternoon, we might have an opportunity to see if an area of agreement could be reached upon the proposed unanimous-consent request which had earlier been propounded by the junior Senator from Wisconsin. It may be that some features of the proposal, or the time element involved in it, will require discussion in order to iron out any uncertainties.

In addition, it had previously been brought to my attention that at 5 o'clock the Senate would take up a matter of the highest privilege, the administration of the oath of office to Senator-elect O'MAHONEY. As pointed out earlier, it is agreeable that the administration of the oath take place at 5 o'clock.

Mr. JOHNSON of Colorado. Mr. President, I shall be glad to yield with the understanding that I do not lose the floor.

Mr. KNOWLAND. It was with that understanding that I made my request.

SENATOR FROM WYOMING

The PRESIDENT pro tempore. The Chair understands there is an agreement regarding the presentation of the credentials of a new United States Senator, which is to take place at 5 o'clock.

If there is no objection, it being a privileged matter, the Senate will proceed with that matter at this time, and will resume debate on the censure proposal immediately thereafter.

Mr. BARRETT. Mr. President, I present the certificate of election of JOSEPH C. O'MAHONEY, to be a Senator from the State of Wyoming, for the unexpired term ending the 3d day of January 1955.

The PRESIDENT pro tempore. The certificate will be read.

The certification of election was read and ordered to be placed on file, as follows:

CERTIFICATE OF ELECTION

STATE OF WYOMING,
EXECUTIVE DEPARTMENT.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 2d day of November 1954 JOSEPH C. O'MAHONEY was duly chosen by the qualified electors of the State of Wyoming a Senator from said State to represent said State in the Senate of the United States for the unexpired term ending the 3d day of January 1955.

Witness: His Excellency, our Governor, C. J. "Doc" Rogers, and our seal hereto affixed at Cheyenne, the State Capital, this 27th day of November in the year of our Lord 1954.

C. J. "Doc" ROGERS,
Governor.

By the Governor:
[SEAL] C. J. "Doc" ROGERS,
Secretary of State.

The PRESIDENT pro tempore. If the Senator-elect will present himself at the desk, the oath of office will be administered to him.

Mr. O'MAHONEY, escorted by Mr. BARRETT, advanced to the Vice President's desk, and the oath of office prescribed by law was administered to him by the President pro tempore, and was subscribed by the new Senator.

RESOLUTION OF CENSURE

The Senate resumed the consideration of the resolution (S. Res. 301) to censure the junior Senator from Wisconsin.

The PRESIDENT pro tempore. The Senator from Colorado has the floor.

Mr. KNOWLAND. Mr. President, with the understanding that the Senator from Colorado does not lose his right to the floor, I wonder if he will yield so that I may suggest the absence of a quorum, in order that the majority leader may be able to propound a unanimous-consent request, which is now reduced to writing and which will be sent to the desk?

Mr. WELKER. Mr. President, if the Senator from California will yield, I should like to ask him a question. Will the distinguished majority leader advise me, in the event the Senate adopts the unanimous-consent request, what effect such adoption will have on the brief interrogation I intend to make with respect to the remarks of the distinguished Senator from Colorado?

Mr. KNOWLAND. I would say that the proceedings would not be interrupted. After completion of the quorum call the Senator from Colorado will have the floor and will then be able to yield, in the normal course of debate.

Mr. WELKER. Is it my understanding that the time for such interrogation will not be taken from any Senator's time?

Mr. KNOWLAND. It is not intended that the unanimous-consent agreement would start operating until 6 o'clock.

Mr. President, with the understanding I have mentioned, I now suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Abel	Gillette	McClellan
Barrett	Goldwater	Millikin
Beall	Green	Monroney
Bennett	Hayden	Mundt
Bridges	Hendrickson	Murray
Brown	Hennings	Neely
Butler	Hickenlooper	O'Mahoney
Byrd	Holland	Payne
Carlson	Hruska	Purtell
Case	Ives	Robertson
Chavez	Jenner	Russell
Clements	Johnson, Colo.	Saltonstall
Cooper	Johnson, Tex.	Scott
Cordon	Johnston, S. C.	Smith, Maine
Cotton	Kerr	Smith, N. J.
Daniel, S. C.	Kilgore	Sparkman
Dirksen	Knowland	Stennis
Duff	Kuchel	Symington
Ellender	Langer	Thye
Ervin	Lehman	Watkins
Ferguson	Long	Welker
Flanders	Magnuson	Williams
Frear	Mansfield	Young
Fulbright	Martin	
George	McCarthy	

The PRESIDENT pro tempore. A quorum is present.

Mr. KNOWLAND. Mr. President, at this time does the junior Senator from Wisconsin wish to submit the proposed unanimous-consent agreement and have it read at the desk?

Mr. MCCARTHY. Yes. Mr. President, I now send forward the proposed unanimous-consent agreement, and ask that it be read.

The PRESIDENT pro tempore. The proposed agreement will be read.

The legislative clerk read as follows:

Ordered, by unanimous consent, that on Wednesday, December 1, 1954, at not later than the hour of 3 o'clock p. m., the Senate proceed to vote, under the limitation of debate hereinafter provided, upon any amendment or motion (including appeals) that may be pending or that may thereafter be proposed to Senate Resolution 301, and upon the final passage of the resolution: *Provided*, That after the said hour of 3 o'clock p. m., debate upon any amendment, motion, or appeal shall be limited to 60 minutes, to be equally divided and controlled, respectively, by the mover of any such amendment, motion, or appeal and Mr. WATKINS, of Utah; (2) that on any substitute the debate shall be not exceeding 4 hours, under similar control: *Provided*, That if the Senator from Utah is in favor of any such amendment, substitute, or motion, the time in opposition thereto shall be controlled by the minority leader: *Provided further*, That the time between 6 p. m. today and 3 p. m. Wednesday shall be equally divided and controlled by the majority and minority leaders: *Provided*, That no amendment or motion that is not germane to the resolution shall be received, with the exception that any amendment relating to censure of another Senator shall be in order.

The PRESIDENT pro tempore. Is there objection to the proposed unanimous-consent agreement?

Mr. McCLELLAN. Mr. President, reserving the right to object, I should like to propound a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator from Arkansas will state it.

Mr. McCLELLAN. I wish to ask the Chair this question: If an amendment or motion to censure some other Senator were to be offered at this time, before the proposed unanimous-consent agreement has been entered into, would such an amendment or motion be germane?

The PRESIDENT pro tempore. The Chair is of the opinion that if such an amendment or motion were offered prior to the entering of the proposed unanimous-consent agreement, the amendment or motion would not be germane.

Mr. McCLELLAN. Then, Mr. President, I desire to propound another parliamentary inquiry.

The PRESIDENT pro tempore. Let the Chair state—

Mr. KNOWLAND. Mr. President, I should like to propound a parliamentary inquiry at this time, if the Senator from Arkansas will permit me to interrupt, for I think we wish to have the matter made perfectly clear.

Mr. McCLELLAN. I am trying to clear it up, if the Senator from California will permit me to proceed.

Mr. KNOWLAND. I should like to suggest that perhaps the President pro tempore may have misstated the case, for I believe the Senate does not have a rule of germaneness; and germaneness would enter into the situation only in the event of the adoption of the proposed unanimous-consent agreement.

The PRESIDENT pro tempore. That is what the Chair meant to state.

Mr. McCLELLAN. Mr. President, I wish to understand the Chair's ruling.

The PRESIDENT pro tempore. Very well. Will the Senator from Arkansas restate his parliamentary inquiry?

Mr. McCLELLAN. Yes.

If an amendment or motion proposing that another Senator be censured were to be offered prior to adoption of the pending unanimous-consent agreement, would such amendment or motion be in order or be germane?

The PRESIDENT pro tempore. It would be in order.

Mr. McCLELLAN. And would it be germane?

The PRESIDENT pro tempore. It would not be germane, because the Senate does not have a rule of germaneness.

Mr. McCLELLAN. Do I correctly understand that such an amendment or motion would be in order, but would not be germane? If so, I desire to propound another parliamentary inquiry.

The PRESIDENT pro tempore. The Senator from Arkansas will state it.

Mr. McCLELLAN. If the proposed unanimous-consent agreement should be entered into, and if an amendment or motion proposing that another Senator be censured were then to be submitted, in that case, regardless of the seriousness or the number of such charges against the other Senator, such Senator would then be limited to 30 minutes in which to defend himself against such accusations; is that correct?

The PRESIDENT pro tempore. The Chair will state that there will be a limitation of 30 minutes on either side on any amendment. So the answer to the parliamentary inquiry is "Yes."

Mr. McCLELLAN. Then, Mr. President, I desire to ask my distinguished colleague, the junior Senator from Wisconsin [Mr. MCCARTHY], whether, as a matter of fairness, he will agree to eliminate from the proposed unanimous-consent agreement the words in the last

two lines, according to my copy of the proposed agreement. I refer to all the words following the last comma appearing at the end of line 14, in the copy I have; and I shall read those words:

With the exception that any amendment relating to censure of another Senator shall be in order.

Mr. JENNER. Mr. President, will the Senator yield to me?

Mr. McCLELLAN. I shall be glad to yield to the Senator from Indiana; but first I should like to know whether the junior Senator from Wisconsin will consider striking the words I have just read.

Mr. McCARTHY. First, may I yield to the Senator from Indiana?

Mr. McCLELLAN. Mr. President, I have the floor. If the junior Senator from Wisconsin does not wish to answer my question—

Mr. McCARTHY. I shall be glad to answer the question, but first I should like to hear from the Senator from Indiana.

Mr. McCLELLAN. Very well; I yield to the Senator from Indiana.

Mr. JENNER. In other words, if there were a proposal, by means of an amendment submitted to the pending resolution, to censure another Senator, under the proposed unanimous-consent agreement the debate on such charges against another Senator would be limited to 30 minutes; is not that correct?

Mr. McCLELLAN. That is correct.

Mr. JENNER. Mr. President, let me say that I can see the undesirability of such an arrangement.

Let me point out that, earlier today, another censure resolution, or perhaps it was in the form of an amendment to the pending censure resolution, was submitted against the junior Senator from Wisconsin [Mr. McCARTHY]. So, under my interpretation of the proposed unanimous-consent agreement, if the agreement were entered into, there would be no hearing on the charges contained in that amendment to the pending resolution, and the junior Senator from Wisconsin would not have an opportunity to defend himself against those additional charges.

Would not that situation fall in the same category with the situation the Senator from Arkansas has mentioned?

Mr. McCLELLAN. Mr. President, I am inquiring about the present situation; and I earnestly ask the distinguished junior Senator from Wisconsin to withdraw that part of the proposed unanimous-consent agreement to which I have referred.

Mr. McCARTHY. Mr. President, let me say that I would do almost anything to bring the present proceeding—I do not know how to describe it properly without becoming subject to further censure charges—to an end.

I may say that I am in exactly the same position in which any other Senator would be if he were subjected to a censure motion. The junior Senator from Utah [Mr. BENNETT] filed a new charge against me today. The senior Senator from Utah [Mr. WATKINS]—and the committee agreed with him—found that I had no justification for criticizing

the Gillette committee. He ruled time and again that I could not present any justification. So I have had no day in court on this question.

My thought, frankly, is that if a special rule is sought to be applied to McCARTHY, perhaps we should apply the same rule to all other Senators.

Mr. McCLELLAN. Let me say to the Senator—

Mr. McCARTHY. I should like to ask the Senator a question—

Mr. McCLELLAN. Let me say this before the Senator asks his question—

Mr. McCARTHY. Let me finish.

Mr. McCLELLAN. I have the floor.

Mr. McCARTHY. Let me finish.

Mr. McCLELLAN. That is exactly what I am trying to do. I have stood on this floor and, along with the majority leader and the minority leader, fought for the Senator's right to have a hearing before a committee.

Mr. McCARTHY. I know the Senator did.

Mr. McCLELLAN. I still maintain that position. I believe it is manifestly unfair, and a flagrant violation of every rule of proper procedure, to bring censure charges on this floor against any Senator and give him only 30 minutes to answer, before the Senate must pass judgment. I think it is unfair to make the request that such a rule be applied to the junior Senator from Wisconsin. I think it is unfair to make a request that such a rule be applied against any other Member of this body.

I trust the Senator will amend his request by striking the clause to which I have referred. I am just as eager as is any other Member of this body to bring this proceeding to a conclusion and to dispose of the pending resolution one way or another.

I cannot in good conscience readily consent to establish in this body a precedent such as is here proposed. If I do so, I shall have to do so most reluctantly. That is why I am appealing to the Senator from Wisconsin to keep the consideration of this resolution on the fair plane which it has thus far occupied, and give everyone who may be accused an opportunity for a hearing. I cannot in good conscience, except with great reluctance, consent to the pending request. If the Senator will modify it, I hope we may then proceed to the conclusion of this matter.

The junior Senator from Wisconsin has referred to an amendment submitted today. I may say that the Senator was aware of that when he made this request. He may be willing, in connection with that particular amendment, to be limited to 30 minutes in which to defend himself. I do not know.

Mr. McCARTHY. Mr. President, I should like to ask the Senator a question. As I say, I will do almost anything to bring this case to a conclusion, so that the Senate can proceed with its business. But let me ask the Senator a question.

The Watkins committee has asked that I be censured. They say I offered no justification for criticizing the Gillette committee. When I tried to offer justification, it was ruled out. So I have had

no day in court. Let me ask the Senator—

Mr. McCLELLAN. The committee says the Senator has had his day in court.

Mr. McCARTHY. Let me finish my question.

Mr. McCLELLAN. I have the floor.

Mr. McCARTHY. As an act of courtesy, let me finish my question.

Mr. McCLELLAN. The Senator has made a statement with which I do not agree. So long as I have the floor, I am entitled to correct it.

Mr. McCARTHY. As a courtesy, may I be permitted to finish the question?

Mr. McCLELLAN. I will extend the courtesy.

Mr. McCARTHY. In fairness, let me ask the Senator this question: How am I to bring before the committee testimony to show justification?

For example—may I have the attention of the Senator?

Mr. McCLELLAN. I think the Senator has more of my attention than he realizes.

Mr. McCARTHY. I thank the Senator. This is no laughing matter to me, let me say to the Senator from Arkansas.

Mr. McCLELLAN. I did not laugh.

Mr. McCARTHY. The Watkins committee had before it 12 items, which I now have before me, allegedly signed by the able Senator from Iowa [Mr. GILLETTE]. I have every reason now to believe that he did not sign the papers asking for an illegal mail cover. He has not told me so, but I do not believe he would do it. I have every reason to believe that his signature was placed there by someone else. That was an illegal action. It is justification for criticizing the committee. How am I to get the witnesses before the committee when the Senator from Utah [Mr. WATKINS] would not allow me to bring them before his committee? The Senator asks that we proceed in a spirit of fairness. If the junior Senator from Wisconsin is to be censured for allegedly criticizing a committee, when he had no justification for doing so, then should he not be entitled to bring witnesses either before the Senate or before a committee to show justification? If I am precluded from doing that, why should the Senator from Vermont [Mr. FLANDERS] be allowed to hide behind this screen and not come up for censure also?

I am inclined to strike the language to which reference has been made, but I should like to ask the Senator from Arkansas how I can bring before this body evidence to justify the criticism of the Gillette committee.

Mr. McCLELLAN. The Senator has had his opportunity.

Mr. McCARTHY. No; he has not.

Mr. McCLELLAN. He had it before the committee.

Mr. McCARTHY. He did not.

Mr. McCLELLAN. The committee made its rulings. The committee is an agency of this body. If the committee has made a mistake, the Senator has a right to argue it on the floor of the Senate. The argument goes to the point of justification for the Senator's desire that no censure be voted because he has

not had a fair hearing. However, I do not subscribe to the Senator's statement that he has not had a fair hearing. He may not have had, but I do not know that to be a fact. The Senator has made a speech unrelated to the request with respect to allowing only 30 minutes' time for a Senator to defend himself when censure proceedings are brought against him by an amendment which may take him completely by surprise.

I do not know whom any Senator may have in mind in connection with an amendment to censure some other Senator. It may be the Senator from Arkansas. I do not know.

Mr. McCARTHY. I do not think so.

Mr. McCLELLAN. I have no reason to know one way or the other. We are all subject to such procedure if our conduct has warranted it. I do not think mine has, yet I could be charged, within the next few hours, without any notice whatsoever, in a resolution as long as one's arm, setting forth many spurious charges. I would have 30 minutes in which to defend myself. I would have no opportunity to obtain witnesses. I would have opportunity only to make such statement as I might be able to make in my defense in 30 minutes.

Mr. WATKINS and Mr. WELKER addressed the Chair.

Mr. McCLELLAN. Let me make this statement, and then I shall have concluded:

I do not intend to object, because I do not wish to delay these proceedings. I fought for the rights of the junior Senator from Wisconsin to have a hearing before a committee, and endured criticism for it, because I believed in fair play for the junior Senator from Wisconsin. Today I urge that the junior Senator from Wisconsin and the majority leadership and the minority leadership reach some agreement so that any other Senator who may have charges of censure filed against him in this body may have an equal opportunity to that accorded the Senator from Wisconsin. Whether he receives a fair hearing or not, let us give him the opportunity. Then we can criticize the committee if it does not give him a fair hearing. Then we can weigh the actions of the committee on the floor of the Senate, as we are weighing the action of the select committee here today.

I urge the Senate not to set an unfortunate precedent by agreeing to a proposal to grant the right to file censure charges, either by means of an amendment or a motion in connection with this pending resolution. Under the unanimous-consent proposal now before us, another Senator might be censured without being given adequate opportunity for defense.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. McCLELLAN. Let me say this in conclusion, and then I shall be glad to answer any questions.

Mr. McCARTHY. Mr. President, will the Senator yield to me?

Mr. McCLELLAN. I yield.

Mr. McCARTHY. It is an established fact—there is no question about it—that I was precluded from showing justifica-

tion for criticizing the Gillette committee. It is an established fact that the Watkins committee had before it items of evidence which were not placed in the record, but which were kept from the Senate.

The Senator from Arkansas is speaking of fairness. Does he not feel, if we are to apply that rule, I, also, should be entitled to call witnesses and to subpoena documents which the Senator from Utah [Mr. WATKINS] had, but which were never used? For example, I refer to the minutes of the meetings of the Gillette subcommittee. Decisions were made to the effect that I would not be entitled to subpoena those documents or to subpoena witnesses and to present a defense. I am not asking that for McCARTHY. I know there are sufficient votes in the Senate to vote censure when we get around to having a vote. However, are we not establishing a dangerous precedent?

Mr. McCLELLAN. I am not passing judgment at the moment on the select committee. The Senator has stated circumstances of which I have no knowledge. I understand that the select committee states an entirely different viewpoint. That is a question to be settled when we come to discuss the matter. We can weigh the statements that are made at the time. The question is, Are we now to establish a precedent under which we can censure a Senator on a motion, or a resolution in the nature of an amendment, and give him only 30 minutes in which to defend himself on the floor of the Senate? That is the real issue. I do not believe the junior Senator from Wisconsin wishes to establish any such precedent.

Mr. WELKER, Mr. DIRKSEN, and Mr. WATKINS addressed the Chair.

Mr. McCLELLAN. Does the Senator from Utah seek recognition?

Mr. WATKINS. I wish to have the Senator yield so that I may make a statement.

Mr. McCLELLAN. I wish to conclude my statement, unless Senators desire to ask me questions. If any Senator wishes to ask me a question, I shall be glad to yield for that purpose. Then I shall yield the floor.

Mr. WATKINS. Mr. President, will the Senator yield for a question?

Mr. McCLELLAN. I yield for a question.

Mr. WATKINS. Has the Senator read the record in this case?

Mr. McCLELLAN. I beg the Senator's pardon.

Mr. WATKINS. Has the Senator read the record of the select committee in this case?

Mr. McCLELLAN. I have read substantially all of it.

Mr. WATKINS. Did the Senator find in the record that time after time the select committee gave the Senator from Wisconsin the opportunity to produce his witnesses and that he was asked whether we could do any investigating for him?

Mr. McCLELLAN. That is correct.

Mr. WATKINS. I believe the Senator will find, if he will look at the record, that we gave the Senator from Wisconsin full opportunity to present his case. I have heard it repeatedly stated

that we did not do so. The fact is that we did give him a full opportunity. I expect to speak on that subject matter later.

Mr. McCARTHY. Mr. President, will the Senator yield?

Mr. McCLELLAN. That is a controversy between the Senator from Wisconsin and the select committee. I merely wish to settle this issue. I again ask the junior Senator from Wisconsin if he will withdraw that part of his unanimous-consent request?

Mr. DIRKSEN, Mr. WELKER, and Mr. McCARTHY addressed the Chair.

The PRESIDING OFFICER. The Senator from Arkansas still has the floor.

Mr. McCARTHY. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield gladly.

Mr. McCARTHY. I will put my statement in the nature of a question, in order to keep the record straight. The Senator from Utah [Mr. WATKINS] has stated that the select committee offered to let me call witnesses. That is true. They said that I could call witnesses. However, the select committee stated that such witnesses could not testify to anything which would show justification. For example, one ground on which the Watkins committee asks that I be censured is a letter which I wrote criticizing the Gillette committee for attempting to call a man whom all of us knew was insane. The Senator from Utah was presiding at the time, and I tried to show that he himself had the document in his hand. The record will show that he ruled out that testimony on the ground that it was incompetent. Apparently he misunderstood the situation, because he said it would not make any difference even if the investigators were insane. The only thing we were interested in, according to the chairman—and if I misquote the chairman I hope he will correct me—was the question: Had the Gillette committee been formed, did it have jurisdiction, and was it acting?

Mr. McCLELLAN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. McCLELLAN. Do I lose the floor if I permit the Senator from Wisconsin to interrogate the Senator from Utah?

The PRESIDING OFFICER. The Senator from Arkansas can yield only for a question. The Senator has the floor under a reservation, as he knows.

Mr. McCLELLAN. I yield only for a question.

Mr. McCARTHY. My question is this: Is the Senator aware of the fact that the Senator from Utah [Mr. WATKINS] ruled—and he was upheld in his rulings by the committee—that I could present nothing in regard to the activities of the Gillette subcommittee except whether it had been formed and had jurisdiction and was acting; that he ruled out any testimony as to illegal activity; that he had in his possession 12 documents showing a violation of Federal law; that he had in his possession the minutes of the November 21 meeting, at which it was decided, not that McCARTHY be called, but that they would place a deadline beyond which he could not appear; and

that all this information was kept from the Senate? Is the Senator aware—

Mr. McCLELLAN. I will answer the Senator's question by saying that I am not familiar with all the circumstances he has related. However, I say that if the Senator felt aggrieved by the actions of the select committee, upon its filing its report and upon the resolution being presented, he could have moved to recommit the resolution to the committee, with instructions that there be taken the testimony he now complains he was denied the opportunity to submit. I assume that with his able counsel he knew how to protect his own rights. That was the purpose of sending the matter to the committee, namely, to give him every opportunity to protect his rights.

Mr. NEELY. Mr. President, I demand the regular order.

The PRESIDING OFFICER (Mr. Ferguson in the chair). The regular order has been demanded.

Mr. DIRKSEN. Mr. President, reserving the right to object—

Mr. NEELY. Mr. President, I demand the regular order.

Mr. McCLELLAN. Does that mean that I must yield the floor?

The PRESIDING OFFICER. Under the regular order, the Senator will either object or state his reservation in as few words as possible.

Mr. McCLELLAN. I have stated my reservation. I trust the Senator from Wisconsin will withdraw the phrase or clause in his unanimous-consent request to which I have referred. I shall not object. I withhold objection with great reluctance. In fairness to my colleagues I must state the only reason I can consent not to object is because I have faith and confidence in the Senate that if such a procedure is attempted a motion to table will immediately be voted favorably. If I were not confident that the Senate would not censure a Senator after giving him only 30 minutes' time to defend himself, I would be compelled to object. May I make another parliamentary inquiry?

The PRESIDING OFFICER. The Senator from Arkansas will state it.

Mr. McCLELLAN. A motion to table would be in order if such an amendment or proposal were offered; is that correct?

The PRESIDING OFFICER. The Chair will answer that question in the affirmative.

Mr. McCLELLAN. I inquire whether the regular rules of the Senate would still prevail, and that such a motion to table would be voted on immediately without debate.

The PRESIDING OFFICER. That is the opinion of the Chair.

Mr. WELKER. Mr. President, reserving the right to object, I appreciate the remarks of the distinguished Senator from Arkansas. He was not alone in fighting to preserve the rights of the junior Senator from Wisconsin. I believe I voted with him on that point. I should like to call the attention of the Senate to the fact that it is my information the junior Senator from Wisconsin was denied the right to cross-examination of his accusers, namely, the witnesses who were produced against him

before the Gillette-Hennings subcommittee.

Second, with respect to the statement of the distinguished Senator from Arkansas regarding the 30 minutes which the junior Senator from Wisconsin had, if he were willing to proceed, having had that notice, I am wondering whether the other Senators who certainly had notice of the resolutions contemplated—and I served notice upon the entire body in the debate with the Senator from South Dakota that they would be presented—would agree. What is good for the goose is good for the gander. If the junior Senator from Wisconsin should be willing to waive and let his defense take 30 minutes, I am wondering whether other Senators—even though they were not in the Chamber they had constructive notice—would be willing to rest their case in 30 minutes.

Mr. DIRKSEN. Mr. President, reserving the right to object, let me say to the distinguished Senator from Arkansas that I think he is on sound ground. It would come in the nature of a surprise and would put a Member of this body in jeopardy if he could defend himself for only 30 minutes, notwithstanding the fact that at the end of any such defense a motion to table a censure proposal could be made and the proposal could be laid on the table. Speaking for myself, I think it would be an unhappy record, indeed.

But I should like to take the logic of the Senator from Arkansas and carry it a little further.

I am concerned about the record. A new charge is an additional count. It is in the nature of an indictment; and if we should open the door, there would be nothing to prevent any number of Senators from taking the remaining 42 charges, offering them as amendments, and keeping us here until midnight on December 24.

I agree with the Senator from Arkansas, and I urge upon the junior Senator from Wisconsin that the last clause in this unanimous-consent request be stricken, but that there be added additional language to the effect that any allegations or charges made for the purpose of censure or condemnation which are proposed subsequent to the time the select committee's report was filed, shall be referred to the Committee on Rules and Administration, because there is no way of closing the door in the course of the debate to any kind of a charge, any kind of an allegation, and submitting it in the form of an amendment and having it discussed.

I believe the unanimous-consent request can be amended accordingly, so that there will be no surprises, and we may follow what I deem to be good procedure; and then I think we can go forward hopefully and ring down the curtain on this matter before the present week closes.

I say freely and publicly that I would agree to deleting the last clause. On the other hand, I do not believe amendments which propose additional grounds for censure and condemnation should be considered without reference to a proper committee. If it be in order, I would certainly offer to strike the last

clause in the pending unanimous-consent request and substitute appropriate language to effectuate the sentiments I have just expressed to the Senate.

Mr. HOLLAND. Mr. President, reserving the right to object, and I shall not object, I wish to propound three parliamentary inquiries.

The PRESIDENT pro tempore. The Senator will state them.

Mr. HOLLAND. Assuming the adoption by the Senate of the pending unanimous-consent request, would any amendment involving a proposed change of any of the standing rules of the Senate be in order, as germane?

The PRESIDENT pro tempore. The opinion of the Chair is that they would not be germane.

Mr. HOLLAND. Another parliamentary inquiry, Mr. President.

The PRESIDENT pro tempore. The Senator will state it.

Mr. HOLLAND. Ignoring the question of any possible amendment to the standing rules, would any proposed new rule, which itself would be an addition to the standing rules, be in order, as germane, under the pending unanimous-consent request?

The PRESIDENT pro tempore. It is the opinion of the present occupant of the chair that such an amendment to the rules would not be in order.

Mr. HOLLAND. A third parliamentary inquiry, Mr. President.

The PRESIDENT pro tempore. The Senator will state it.

Mr. HOLLAND. Having in mind the proposed change of the rules on the same general subject matter which was referred to the select committee, along with the pending resolution, is the Chair, by his ruling, precluding the bringing in and consideration by the Senate, as germane, under the proposed agreement, if it be adopted, of either that specific amendment to the rules or any one covering the same ground?

The PRESIDENT pro tempore. If the agreement is adopted, it is the opinion of the Chair that it would not be proper.

Mr. HOLLAND. I thank the Chair.

Mr. MCCARTHY. Mr. President, while I feel that the same rule should be applied to other Senators that is applied to McCarthy, I do not wish to take the time of the Senate debating whether we should censure the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Vermont [Mr. FLANDERS], the Senator from Oregon [Mr. MORSE], or some other Senator for anything they have said. I have long felt that Senators should have complete freedom to say what they think and feel, regardless of how much we may differ with them.

The only reason why I added this provision was to ascertain whether or not the Senate would apply the same rule to other Senators who have used language much stronger than that which I have used; whether, for example, the Senator from Arkansas [Mr. FULBRIGHT], who proposed that I be censured for having called Annie Lee Moss a Communist or said she was engaged in Communist activities, and then overlooked the fact that the Army has gotten rid of her because of her Communist activities. I think that is not censurable. I think,

whether he made the charge in good faith or in bad faith, he is entitled to say what he wishes to say so long as he does not violate the rules of the Senate.

I was curious to know whether the Senator from Vermont [Mr. FLANDERS] should be censured, when he stood on the floor of the Senate and made the foulest charges conceivable against me, and one of his counts of censure was to accuse me of calling the wrong witness, when the newspapers showed that the right witness came before the committee and invoked the fifth amendment.

I was curious to know whether the Senator from Vermont should apologize to the Senate for doing that. Frankly, I think that he should not be required to apologize to the Senate. I think if he feels that I have done something improper, he is entitled to stand on the floor of the Senate and discuss it, or discuss it outside the Senate.

The same is true of the Senator from Oregon [Mr. MORSE].

I merely added this provision, Mr. President, to find out whether Senators wanted to go on record as applying a different rule to the junior Senator from Wisconsin.

I shall now submit the unanimous-consent request, deleting the words "with the exception that any amendment relating to censure of any other Senator shall be in order."

Mr. KNOWLAND. Mr. President, reserving the right to object—and I wish to say to the Senator from Wisconsin that I shall not object—I think it a wise move to make the change. The Senator has shown that he desires to reach an agreement, if that is possible.

I think the Senator, if I am not mistaken, changed 3:30 p. m. to 6 p. m.

Mr. McCARTHY. That is correct.

Mr. KNOWLAND. Since it is about 10 minutes to 6, and in view of the fact that the Senator from Colorado [Mr. JOHNSON] had the floor and there were certain questions to be asked by the Senator from Idaho [Mr. WELKER] and other Senators, I suggest that it read 7 p. m. rather than 6 p. m., if that is agreeable to the Senator from Wisconsin.

Mr. McCARTHY. I shall make that modification.

The PRESIDENT pro tempore. A Senator has the right to change his own unanimous-consent request. Is there objection to the proposed unanimous-consent request as modified?

Mr. WELKER. Mr. President, reserving the right to object, am I to understand that we are now going down the road toward permitting a complete new censure resolution to be offered against the junior Senator from Wisconsin, without his having the right to prepare his defense, without his having the right to explain his side of the case? Is that the question on which we are now being asked to vote?

Mr. McCARTHY. Mr. President, will the Senator yield?

Mr. WELKER. I yield.

Mr. McCARTHY. So far as I am concerned, I have no concern whatsoever about additional amendments to the censure resolution. Senators can offer as many as they wish. The junior Senator from Utah [Mr. BENNETT] offered a new

one this morning. So far as I am concerned, Senators can offer new ones tomorrow morning and the morning after that.

I simply hope there will be an end to the debate as soon as possible, so that we can get back to the work of the committee.

Mr. WELKER. I know the junior Senator from Utah eminently well, and I know him to be a high-minded man and gentleman. In view of the debate, I am confident in my heart that he will withdraw his proposed amendment, since the question has been ably discussed.

The distinguished Senator from Arkansas [Mr. FULBRIGHT] has not had his day in court upon his proposal.

If we are to consider amendments pertaining to everything spoken in the Chamber, then I shall have to refer again to the notice which I served the other day that many other resolutions of censure will be introduced.

Mr. BENNETT. Mr. President, on November 16 I gave notice in the Senate of my intention to offer an amendment to the resolution, based on the statements made on that day by me. There is nothing in the proposed language offered by me as an amendment which was not available through a study of the statements of my colleague.

I should like to make these observations: First, the proposed unanimous-consent agreement was submitted by the junior Senator from Wisconsin, and the proposed time limitation on the amendment was a proposal of the junior Senator from Wisconsin.

Second, I observed that when the junior Senator from Illinois [Mr. DIRKSEN] indicated that he also had an amendment, and wanted more time than 30 minutes, it was agreed that 4 hours would be allowed for debate on that particular amendment, and I have remained silent with respect to the time limitation placed on my proposed amendment.

Mr. McCARTHY. Mr. President, will the Senator yield?

Mr. BENNETT. I yield.

Mr. McCARTHY. I may say that I have absolutely no concern whether the Senator from Utah withdraws his amendment or leaves it to be voted upon. I have absolutely no concern about it. Let us have all of these resolutions of censure as soon as possible.

Mr. BENNETT. On that basis, since the junior Senator from Wisconsin is the party most concerned, I see no reason for withdrawing my amendment.

Mr. WELKER. Reserving the right to object, I disagree with my able friend, the distinguished Senator from Utah. The junior Senator from Wisconsin is not the only person here concerned. The future of this great deliberative body is at stake. That is the reason why I have raised these questions.

The position of the distinguished junior Senator from Utah on November 16 certainly was no different from that of the junior Senator from Idaho, when I served notice upon the Senate—and upon the world, if you please—that other censure resolutions would be introduced, and I stated the words and allegations used in the presence of all of us, or at least those of us who were here, as they

should have been, since we are supposedly the sole judges of the law and fact in this proceeding.

Mr. KUCHEL. Mr. President, reserving the right to object, I wish to ask the junior Senator from Wisconsin if the time limit on an amendment such as that which is now intended to be offered by the junior Senator from Utah would remain at 60 minutes.

Mr. McCARTHY. It would remain at 60 minutes, unless the Senator from Utah felt he needed more time in which to present his case against me. In that event, I certainly would have no objection to amending the proposed request in order to give him more time.

Mr. KUCHEL. Would the junior Senator from Wisconsin consider changing the 60 minutes proposed to be allowed for discussion of the amendment intended to be offered by the Senator from Utah to 4 hours? I think the amendment which the Senator from Utah intends to offer, and which he now states he will offer, is probably just as important from the standpoint of the decision which the Senate may make as is any so-called substitute which might be offered by another Member of the Senate. For that reason, I should prefer to have the proposed unanimous-consent request allow time for debate of the proposed amendment equal to that of a so-called substitute, because to some of us it might appear to be a mere play upon words to call one proposal an amendment and another a substitute. I should like to have the matter discussed for more than merely 60 minutes.

Mr. McCARTHY. I should be glad to amend the proposed unanimous-consent request to conform with the wishes of Senators, but I very much dislike to string out the time too long. I wonder if the Senator from California would be willing to consider something less than 4 hours.

May I ask the junior Senator from Utah how much time he would need to present his case against me?

Mr. BENNETT. So far as I am concerned, 1 hour, divided equally between the two sides, as originally proposed, would be perfectly satisfactory.

Mr. McCARTHY. Would the Senator then consider making that 2 hours, an hour to each side? I do not like to place a limitation of 4 hours on each of the various amendments.

Mr. KNOWLAND. I wonder if Senators could not agree upon 2 hours, and whether the 2 hours might not be applied to amendments, but not to motions or appeals. Could we not have the 2 hours apply to the Bennett amendment?

Mr. McCARTHY. This is what bothers me: I expect that there will be called up 10, 15, 20, or 25 amendments, proposing additional counts of censure of the junior Senator from Wisconsin. I dislike to agree to 4 hours of debate on each one.

Mr. KNOWLAND. Could we not limit the debate on the Bennett amendment to 2 hours, as in the case of the substitute previously mentioned, or to whatever time the Senate finally agrees to, while still leaving the 60 minutes to apply to other amendments?

Mr. McCARTHY. I think that is an excellent suggestion.

Mr. JENNER. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. JENNER. As I understand, by changing the words of the proposed unanimous-consent request, we are now discussing how much time we shall give to what is in effect a new censure resolution introduced this morning.

Mr. McCARTHY. That is correct.

Mr. JENNER. It is an amendment which has not been referred to a standing committee of the Senate or even to a select committee.

Mr. McCARTHY. That is correct.

Mr. JENNER. Reserving the right to object, I wonder if we are not again setting a very bad precedent. We are making rules which apply only to the junior Senator from Wisconsin, when it has been objected that 30 minutes is too short a time for a Senator to defend himself.

I wonder if we could not, by changing the original wording, say "with the exception of any amendment relating to the censure of another Senator for words spoken on the floor of the Senate," and then let the 30 minutes apply to any Senator, because certainly if a Senator utters words on the floor of the Senate, where constructively speaking all his colleagues are present or are supposed to be present, and those words are printed in a public record, the Senator concerned should be entitled to defend himself.

If it is intended to limit debate on the amendment offered by the junior Senator from Utah to 60 minutes or to 4 hours, why not have the limitation apply equally to amendments offered by any Senator?

If we are out to get JOE McCARTHY's head, that is simply a situation of the pot calling the kettle black. The rules ought to be made the same for everyone. Otherwise let us not stand up and talk about the United States Senate being a great deliberative body. That makes me a little bit sick.

Mr. LANGER. Mr. President, I wish to say that I intend to object. Already five amendments have been offered to the proposed unanimous-consent request. I think a good purpose would be served to let this matter go over tonight, and to be taken up again tomorrow morning. I object.

The PRESIDENT pro tempore. Objection is heard.

Mr. McCARTHY. Mr. President, I am sorry that I did not hear what the Senator from North Dakota said.

The PRESIDENT pro tempore. The Senator from North Dakota objected.

Mr. McCARTHY. The Senator objected to the unanimous-consent request.

The PRESIDENT pro tempore. The Senator from Colorado has the floor.

Mr. McCARTHY. Mr. President, will the Senator from Colorado yield?

Mr. JOHNSON of Colorado. I yield.

Mr. McCARTHY. Mr. President, I should like to make a very brief announcement, which I had intended to make this morning, but forgot to do so. Mr. Williams, who has been my counsel all along, is necessarily absent because he is attending a session of the Federal

court in St. Louis, Mo. He could not get a continuance. He had to be there on a motion. He will be back some time tomorrow.

The PRESIDENT pro tempore. The Senator from Colorado.

Mr. JOHNSON of Colorado. Mr. President, I yield to the Senator from Idaho.

Mr. WELKER. Mr. President, may we have order?

The PRESIDENT pro tempore. The Senate will be in order. The conversation in the Chamber will cease.

Mr. WELKER. Mr. President, I should like to ask my distinguished and able friend, the Senator from Colorado, if he can tell the Senate what caused him to change his mind with respect to the arrogance and evasiveness which had been shown in the testimony of General Zwicker.

The PRESIDENT pro tempore. The Senate will be in order, and if we cannot have order the rear of the Chamber will be cleared. The Senator from Idaho will desist until there is order.

The Senator may now proceed.

Mr. WELKER. Mr. President, did the Senator from Colorado hear my question?

Mr. JOHNSON of Colorado. I heard the question propounded by the junior Senator from Idaho. My reasons for changing my position with regard to General Zwicker were based on the evidence that was brought out before the select committee with respect to the whole matter. When I discovered, through the evidence that was adduced before the select committee, that General Zwicker pleaded that he was not accustomed to hearings before a Senate committee at the time of the previous hearing, that he had learned a great deal about such matters, that he did not have the benefit of counsel at the time he appeared before the junior Senator from Wisconsin [Mr. McCARTHY]; when I saw General Zwicker in person and observed the ability and the intelligence displayed by him, and his cooperative attitude before the select committee when he was subjected to grueling cross-examination by counsel for the junior Senator from Wisconsin, by the committee's own counsel, and by members of the committee; when I saw that he handled himself so splendidly during all of those interrogations; when I discovered that General Zwicker had been opposed to the promotion of Major Peress, that he had been opposed to his honorable discharge, that he was out of patience with Army officers or military men generally who plead the fifth amendment, I adopted a completely different attitude toward General Zwicker.

That is the reason why I changed my mind—because the evidence compelled me to.

Mr. WELKER. Did General Zwicker tell the Senator from Colorado where he learned a great deal more about appearing before congressional committees?

Mr. JOHNSON of Colorado. He said to the select committee that he had learned a great deal about testifying before Senate committees.

Mr. WELKER. Did General Zwicker tell the Senator from Colorado where he

learned a great deal more about appearing before committees?

Mr. JOHNSON of Colorado. No; he did not tell us where he got his experience. I took it for granted that his experience before the McCarthy committee taught him a great deal, and I imagine that he learned a great deal from testifying before the select committee. I think he learned that a person who appears before a Senate committee, when he is handling very delicate situations, when his testimony has to be given with great delicacy and exactness, and when he must interpret orders that have come from the President of the United States and from superior officers in the Army, had better have counsel to determine such interpretations for him. No one asked General Zwicker where he got the new information about how to testify before committees, but it was apparent when he testified before the select committee that he was an extremely able witness.

Mr. WELKER. Would the Senator attribute that to the fact General Zwicker had counsel?

Mr. JOHNSON of Colorado. Yes. I think having counsel gave General Zwicker a great deal of self-confidence, because counsel could tell the General just how far he could go under the instructions the general had from the President and his superior officers. I think that fact gave General Zwicker a great deal of confidence.

I remember that at one point in the examination before the select committee General Zwicker declined to answer a question. Then he talked with his counsel about it, his counsel gave him the green light, and the general answered the question straightforwardly, and answered the question very well. Pretty soon the general was asked another question, and the general asked counsel whether he could reply to that. Counsel told him he could not, and General Zwicker said, "Counsel has told me that I have gone as far as I can go." The fact that General Zwicker had counsel present to interpret the orders the general had from his superiors seemed to give him a great deal of self-reliance and confidence.

Mr. WELKER. The Senator is certainly aware of the fact that General Zwicker is a brigadier general in the United States Army. As such, I assume—or at least we can take some notice of the fact—the general has served on trial boards or courts martial in which the life or the liberty of a fellow officer or enlisted man was at stake. I wonder if the select committee gave any consideration to the fact that one who attends West Point at the expense of the American taxpayers studies law, military law, and trial procedures. Was that fact considered when the Senator arrived at the conclusion that General Zwicker was a much better witness by virtue of his having counsel present?

Mr. JOHNSON of Colorado. I cannot say any more than I have said. In his personal appearance before the committee, relying, as he frequently did when he testified before the select committee, on his counsel, he seemed to have great confidence in his counsel, and he seemed

to be free to answer questions. I do not know anything about General Zwicker's experience in court-martial proceedings or his knowledge of the law or anything of that kind, but, as the general appeared before the committee, I was impressed by his intelligence, his poise, his cooperation, and his seeming desire to give the committee all the information he was justified in giving it legally. I was impressed by those things.

Mr. WELKER. But the Senator from Colorado was not impressed, was he, by the testimony of General Zwicker when he first appeared before Senator McCARTHY's investigating committee?

Mr. JOHNSON of Colorado. That is correct. I first read that testimony when it was published in the press, and afterward I read it in the hearings when they were published. It seemed to me that he was evasive and contemptuous of the committee—in short, that he was all the things that Senator McCARTHY said about him; that is the impression I gained at first. But in reading that testimony I think I made an erroneous appraisal of General Zwicker. I did not know all the circumstances which surrounded the hearings, so I think I made a grave mistake in appraising General Zwicker's testimony and his attitude.

Mr. WELKER. Mr. President, this is the \$64 question: Did the Senator from Colorado and the other members of the select committee appraise General Zwicker as a witness and arrive at a conclusion as to the type of witness he was when he appeared before the select committee, or the type of witness he was when he appeared before Senator McCARTHY's investigating committee?

Mr. JOHNSON of Colorado. I do not know that I understand the reference to the \$64 question; it may have too high a price tag on it for my comprehension.

Mr. WELKER. Perhaps I should say it is an important question.

Mr. JOHNSON of Colorado. I realize that the Senator from Idaho would not ask a question which was not important.

In reply let me say that I made allowance both for the junior Senator from Wisconsin [Mr. McCARTHY] and for General Zwicker.

Mr. NEELY. Mr. President, will the Senator from Colorado yield to me at this time for a moment?

The PRESIDING OFFICER (Mr. FERGUSON in the chair). Does the Senator from Colorado yield to the Senator from West Virginia?

Mr. WELKER. Mr. President, would the distinguished Senator from West Virginia mind waiting a minute? I have only a few more questions to ask.

Mr. NEELY. Mr. President, I object to having the distinguished Senator from Colorado yield for anything except questions; and from now on I shall object to having the Senator from Colorado yield for any other purpose.

The PRESIDING OFFICER. A Senator who has the floor may yield only for a question.

Mr. WELKER. Mr. President, I am sorry if I have made a speech; I thought I was asking questions. So I am very sorry if I have transgressed.

Mr. JOHNSON of Colorado. Mr. President, I thought the Senator from Idaho was asking me questions.

Mr. WELKER. Thank you, Senator JOHNSON. Let me ask this question of the distinguished Senator from Colorado if he will yield—and I hope the distinguished Senator from West Virginia will pay attention now so as to see whether this is a question: Is it a fact that the question before the select committee—composed of good, loyal Americans, who, I know, are friends of mine—was the conduct of General Zwicker before the McCarthy investigating committee, not the conduct of General Zwicker before the select committee?

Mr. JOHNSON of Colorado. Not exclusively. If we were able to gain some further information about General Zwicker, and thus were better able to appraise the interrogations by the junior Senator from Wisconsin and the answers made by General Zwicker, I think we had to make allowances, judging from our own examination and from General Zwicker's examination by the counsel representing the junior Senator from Wisconsin. I think we had to take all that testimony into consideration.

I wish to say to the able Senator from Idaho that, as the members of the select committee will recall, in the conferences the select committee had previous to the examination of General Zwicker before the committee, I argued against taking up that matter, and I did so on the ground that I thought there was no justification for the charge of abuse of General Zwicker. So I argued against holding hearings on that subject. But I did not have my way, and the hearings were held. In those hearings matters which changed my views were disclosed. I think I was still interpreting the testimony given by General Zwicker before the McCarthy committee when I listened to General Zwicker testify before the select committee, in answering the questions of the counsel representing the junior Senator from Wisconsin, the questions asked by the counsel of our committee, and the questions which were propounded to General Zwicker by the members of the select committee.

Mr. WELKER. Let me ask this question of the distinguished Senator from Colorado: Did he and the other members of the select committee judge the Zwicker matter on the testimony and conduct of General Zwicker before the McCarthy committee or on the general's testimony and conduct before the select committee?

Mr. JOHNSON of Colorado. Of course, I can speak only for myself; but I interpreted General Zwicker's testimony and attitude before the McCarthy committee by what I learned in the hearing before the select committee.

Mr. WELKER. If General Zwicker had had with him at the McCarthy investigating committee hearing a very poor lawyer who could not help him, and therefore made upon the Senator from Colorado the impression he made upon me, by means of the printed hearings of the original testimony before the McCarthy committee, did the Senator from Colorado give any consideration to

the new counsel General Zwicker had before the select committee?

Mr. JOHNSON of Colorado. I was surprised when I learned that General Zwicker did not have the benefit of counsel when he appeared before Senator McCARTHY's committee. If ever a man needed counsel, it was General Zwicker at that time—to interpret the involved and complicated orders he had from his superior officers and from the President of the United States. He needed badly someone to make those interpretations for him. His entire testimony and appearance before the McCarthy committee disclosed that he was in great difficulty in discussing the orders and in walking the tightrope, so to speak, and in being very careful that, on the one hand, he was being faithful and true to the orders of his superior officers, and, on the other hand, in giving information to the committee.

The select committee—or at least I should say that I, as one of its members—was greatly impressed with General Zwicker's replies to Mr. Cohn, the counsel for the McCarthy committee. General Zwicker's replies to that interrogation were entirely different from his replies to the interrogation by the junior Senator from Wisconsin. I attributed the difference to the fact that the questions asked by Mr. Cohn were more clear-cut and more definite, so that General Zwicker could make clearer replies to Mr. Cohn; and when I reread the testimony, I thought that General Zwicker's replies to Mr. Cohn's questions showed a spirit of cooperation.

Mr. WELKER. In view of the statement the Senator from Colorado has just made, did he give any consideration to the fact that General Zwicker cooperated with Counsel Cohn better than he did with Senator McCARTHY, possibly because of animosity and hatred for the junior Senator from Wisconsin?

Mr. JOHNSON of Colorado. No; I did not discover anything of that kind. But in reading the questions asked by the counsel, Mr. Cohn, I thought his questions were better adapted to the kind of answers General Zwicker was permitted to make in view of the wraps under which he was testifying. I decided that the difference was in the nature of the questions rather than in the attitude toward the person who was propounding the questions.

Mr. WELKER. The Senator does not mean to intimate, does he, that all cross-examinations are the same, that all Senators are the same, or that all people are the same? I think the Senator can follow me. One man might be smooth, and get more out of witness than another. Is that correct?

Mr. JOHNSON of Colorado. I presume it is. I know nothing about cross-examination. I am not experienced in that art at all. I know that the very able Senator from Idaho is experienced in cross-examination, because I know that he is a very able and distinguished attorney, and that he has done much of that kind of work. The Senator from Colorado has not been in court at all, and has never studied law. He knows nothing whatever about legal matters and cross-examination.

Mr. WELKER. The Senator is a very smart man if he does not know anything about law.

Like other Senators, the Senator from Colorado reached his original conclusions with respect to General Zwicker from the official transcript of the McCarthy-Zwicker interchanges; and in those interchanges was the constantly recurring theme in Zwicker's testimony that he would have to plead inability to answer question after question because of an executive order forbidding him to do so. That is correct; is it not?

Mr. JOHNSON of Colorado. Yes; I think that is a correct statement. I think the Senator has made a correct analysis of how I reached my original conclusion. I obtained it from reading newspaper accounts of the hearings, and afterward reading the printed hearings. I very definitely obtained the idea, as the Senator knows, that the General was evasive in his replies to questions.

Mr. WELKER. Will the Senator answer this question: Is it not a fact that the transcript of the Zwicker testimony before the McCarthy committee, and of what Senator McCarthy said to Zwicker, did not change between the time the transcript convinced the Senator from Colorado that Zwicker was evasive and resentful, and the time it was read to the Watkins committee and convinced the Senator that the opposite was true? That transcript was the only pertinent evidence with respect to Zwicker's words, and his attitude toward Senator McCarthy, as indicated by his words.

Furthermore, is it not a fact that General Zwicker's amiable attitude when before the Watkins committee had nothing to do with his attitude when he was being questioned by Senator McCarthy?

Mr. JOHNSON of Colorado. It is true that the printed page did not change. Of course, the hearings before the junior Senator from Wisconsin in the Zwicker case did not change. They were printed. But it is true that the testimony by the general before our committee gave me new light on the testimony General Zwicker gave before the McCarthy committee. I received a different impression. It was the same man, even though the questions and answers were not the same. It was the same man, and he was discussing the same subject. In some way or other I obtained the idea at first that General Zwicker was defending, if he did not have a hand in, the promotion and honorable discharge given to Major Peress. I had that idea at first. When I learned that was not true, of course, that made some difference in my understanding of the testimony of General Zwicker before Senator McCarthy.

Mr. WELKER. If the Senator will allow me to preface the next question with a brief observation, I am convinced in my own heart that there is not a fairer or more honorable man in the United States than the man I am now interrogating.

With that preface, I ask this question: Did the Senator from Colorado, in the vast amount of work he had to do, give any consideration to the fact that there was sworn testimony before the select committee to the effect that General

Zwicker had called Senator McCarthy an s. o. b.?

Mr. JOHNSON of Colorado. I heard the witness Harding testify. Frankly, I was not impressed by his testimony at all.

Mr. WELKER. Why?

Mr. JOHNSON of Colorado. I do not wish to intimate in any way that the man Harding—and I never saw him before he testified—was anything other than completely honest. He may have been completely honest in thinking that he heard General Zwicker say what he says General Zwicker said. But there was no testimony before our committee that General Zwicker had had anything but pleasant relations with Senator McCarthy up to that moment. This was before the hearing started. General Zwicker was called up from the audience, and gave some answers to questions. He had no difficulty with Senator McCarthy, and apparently he had no reason to call him any vulgar names of any kind.

I think the witness Harding was mistaken in what he thought he heard. He heard something about "O. D." and he became confused, thinking that he correctly heard something that General Zwicker may have said under his breath. He did not testify that he heard him say it in audible tones. He was seated in front of General Zwicker. General Zwicker rose to answer the questions, and Harding thought he heard him say under his breath, "You s. o. b." Harding was under oath when he testified before us, and I have no reason to think that he is not an honest man. He thought he heard General Zwicker say that, but I think there is quite an element of probability of error in what he thought he heard. I think Mr. Harding was mistaken. That is my conclusion.

Mr. WELKER. I knew the Senator would be kind and make such an observation.

The Senator stated a moment ago—

Mr. NEELY. Mr. President, I demand the regular order, and I object to any speeches being made which are not in the form of questions.

Mr. WELKER. To satisfy my distinguished friend from West Virginia I will put it in the form of a question. I am trying to do a job. If I were abusing my friend it would be different. I am sure my distinguished friend from West Virginia wants me to do what little I can—

Mr. NEELY. Mr. President, I again demand the regular order.

Mr. WELKER. The Senator will get it. Let him worry no more about it.

Mr. NEELY. I demand it now, and I object to the remarks which are being made.

The PRESIDING OFFICER. The Senator from Colorado has the floor. Does he yield, and if so, to whom?

Mr. JOHNSON of Colorado. I yield to the Senator from Idaho for a question.

Mr. WELKER. I thank the Senator. He is very kind.

I ask the Senator if it is not a fact that he stated a moment ago that he had no evidence before him of any animosity between General Zwicker and Senator McCarthy?

Mr. NEELY. Mr. President, I demand the regular order. That is not a question. It is not a question to tell what a Senator said.

Mr. WELKER. I submit the question to the Presiding Officer. I asked the Senator from Colorado if it was not a fact that he made a certain statement a moment ago. I ask for a ruling.

Mr. JOHNSON of Colorado. Mr. President, I deem that to be a question.

The PRESIDING OFFICER. Phrased in that form, the Senator from Colorado may answer it as a question.

Mr. WELKER. I thank the Chair.

Mr. JOHNSON of Colorado. Another officer appeared before our committee and stated he had had a conversation with General Zwicker and that he, the witness, gained the impression that General Zwicker was not friendly toward Senator McCarthy. This second officer was asked questions about how he reached that conclusion and as to what words had been spoken in that regard. He could not testify to the details, and he could not give us any words related to such incidents. That evidence was before our committee.

Mr. WELKER. Is it not a fact that the committee had sworn testimony to the effect that another witness heard General Zwicker remark to other people, "Now I told you what I would get when I came before this committee"? Did the committee have that testimony before it?

Mr. JOHNSON of Colorado. Was that some more of Mr. Harding's testimony?

Mr. WELKER. I believe it was, if I am permitted to answer the Senator's question.

Mr. JOHNSON of Colorado. It seems to me that something along that line was asked and that something along that line was said. As I said before, I really was not much impressed by the witness Harding.

Mr. WELKER. But the Senator from Colorado was impressed by the witness Zwicker when he made a wind-shift and a retake, after he came before the committee with counsel?

Mr. JOHNSON of Colorado. I was very much impressed by General Zwicker when he appeared before the select committee. That is correct. I was very much impressed by him.

Mr. WELKER. I will ask my distinguished friend whether it is not a fact that he has served as Governor of a sovereign State for many years and that he will soon again assume the office of chief executive of the great State of Colorado?

Mr. JOHNSON of Colorado. That is correct, and Colorado is a great State.

Mr. WELKER. It certainly is. The distinguished Senator, as Governor, had occasion to hear pleas for clemency in connection with the imposition of the death penalty, or in connection with other convictions in serious cases in a court of law, when appeals were taken to him as Governor for executive clemency or leniency. Is that correct?

Mr. JOHNSON of Colorado. Yes; as Governor I have had cases before me in which the death penalty had been imposed. Witnesses came before me in—

formally and discussed the matter with me, but not on any formal basis, such as in the manner of a court examining the whole question. Everything was handled informally. I have discussed matters with lawyers a great deal. However, I am not an expert on cross-examination.

Mr. WELKER. When such matters came before the Senator from Colorado, as Governor, did he take the printed testimony as it was given under oath before God in court, or did he take the testimony given to him after the defendant had been convicted and was about to face the extreme penalty?

Mr. JOHNSON of Colorado. I recall two cases. One was the case in which there was no question about the sworn testimony. The defendants, who had committed the murder, were very young teen-age boys. I commuted their death penalty to life imprisonment. Another case came before me in which there was involved a murder which had occurred in a freight car. I did not commute the sentence in that case, and the defendant was electrocuted. I believe that in the case in which I commuted the sentence of the three very young teen-age boys I took into consideration something more than the sworn testimony on which the verdict was based. I read the testimony very carefully, and I went over it very carefully. I talked to the boys, and I discussed the case with them. I reached the conclusion that society would be better served by my commuting their sentence to life imprisonment than by having them executed.

Mr. WELKER. It is a fact, is it not, that the commutation of the death sentence was based upon the youth of the defendants, rather than upon the sworn testimony? In other words, the defendants did not change their testimony when they came before the Senator from Colorado, as Governor of the great State of Colorado?

Mr. JOHNSON of Colorado. The Senator from Idaho is correct in his analysis, but the facts are that the sworn testimony in the trial was not questioned by me. However, other matters that were not in the testimony appeared to me, and I exercised my duty as I saw it, and commuted the death penalty to life imprisonment. When the defendants appeared before me as Governor and I talked with them, I did not base my action altogether on the testimony given in court. If I had, I certainly would not have commuted their sentence, because they had been tried by a jury, they had been represented by counsel, they had had a fair trial, so far as trials are concerned, and the penalty had been legally imposed upon them.

I believe there is a close relationship between the action I took in that case, in which I commuted the death penalty to life imprisonment, and my action in the Zwicker case, in which I changed my position because of the appearance of General Zwicker and the additional information the committee received on the whole matter that had taken place before Senator McCARTHY when General Zwicker testified before him.

Mr. WELKER. Does the Senator from Colorado agree with the Senator from Idaho that it should not be necessary for a congressional committee to find out who promoted and honorably discharged Major Peress, and that the executive branch of the Government, namely, the Army, should give that information to the American people?

Mr. JOHNSON of Colorado. I believe the Secretary of the Army should give it to the American people, or that a committee of Congress should ascertain who it was that promoted Major Peress and who it was that approved his honorable discharge. I believe those facts should be made known to the American people. I am very much in hope that a committee of Congress will go into that matter and make the facts known. I am firm in my conviction that when the whole truth is known, General Zwicker will be held blameless, both in the promotion and in the honorable discharge of Major Peress.

Mr. WELKER. The Senator knows, does he not, that I hope and pray for the same conclusion?

Mr. JOHNSON of Colorado. I am glad the Senator feels that way. After all, a committee of Congress is not a jury and cannot find General Zwicker guilty of something in a hearing. I hope, for General Zwicker's sake, this matter will be fully explored and the truth ascertained. I believe it can be ascertained.

Mr. WELKER. Does the Senator agree with me that primarily and fundamentally the Army could have prevented all this investigation by coming out forthrightly, as the great Senator from Colorado would have done, and saying, "We are the tortfeasor, and we are responsible?"

Mr. JOHNSON of Colorado. Yes; I agree with that. I agree firmly that the junior Senator from Wisconsin was treated shabbily, and that the Senate of the United States and his committee were treated shamefully, by the military, in not granting him the request he made, which was a valid and reasonable request, that Major Peress not be given an honorable discharge. If I thought for one second that General Zwicker was a party to that treatment of the junior Senator from Wisconsin and the Senate of the United States, certainly I would feel altogether different about the whole matter. But I am satisfied in my own mind that General Zwicker had nothing whatever to do with the decision which was made to ignore the valid request of the junior Senator from Wisconsin.

I do not blame the Senator from Wisconsin one iota for being indignant and resentful over this shabby treatment. The only thing I blame him for is that he picked on an innocent man. I believe—well, I will not go further. That is my position.

Mr. WELKER. It is a fact, is it not, that since the Senator from Colorado has admitted that the junior Senator from Wisconsin was treated shabbily and rather disgracefully by the Army, he had a right to be most exacting and firm in his interrogation not only of General Zwicker, but of any other witness connected with the Army in the matter which was before him?

Mr. JOHNSON of Colorado. He had every right and every duty to be firm, and he had every right and every duty to cross-examine and to try to find out the facts and the truth; but he had no right to abuse General Zwicker. He had every right to cross-examine him and to try to find out the truth and the facts. I share the Senator's feeling of resentment over the way in which he was treated in the matter.

Mr. WELKER. The Senator from Colorado has stated that the junior Senator from Wisconsin had no right to abuse General Zwicker; but if the junior Senator from Wisconsin actually felt that a soldier was covering up another soldier in order to protect a fifth-amendment Communist, would he not have had the right to be vigorous and firm in his interrogation of that witness or of any other military witness?

Mr. JOHNSON of Colorado. He had every right to be vigorous and firm in making his inquiries; but the junior Senator from Wisconsin knows military customs and military traditions, and he should not have expected a brigadier general to disclose matters and orders passed down to him by his superior officers. The junior Senator from Wisconsin knows that a junior officer cannot and does not disclose things about his senior officers. The committees of Congress have every right to interrogate the senior officers, and they now have the names of the senior officers, but they have never been interrogated. Perhaps the committee has not gotten around to it yet, but it has every right to interrogate the senior officers themselves. The committee does not have to go to a junior officer and compel him to tattle on a senior officer. Anyone who has had anything to do with the military knows that is not done, should not be done, and cannot be done.

Mr. WELKER. Does the Senator agree with me that the military is no sacred cow, and that if a junior officer knows of treasonable acts committed by generals, I care not whether they are 5-star, 4-star, or 3-star generals, he would be guilty of a conspiracy to commit the crime of treason if he did not come forth and tell the whole truth?

Mr. JOHNSON of Colorado. I suppose in a treason case any witness would be compelled to testify to the truth. I do not think any witness can refuse to testify in a court of law if he knows something about a crime. But I do not believe General Zwicker knew this crime was being committed. I do not think we have a right to assume he knew that a crime had been committed. I do not know whether Major Peress was promoted under laws enacted by the Congress, whether he received an honorable discharge under laws enacted by the Congress, or whether there was any violation of any law. But I do know that when the Acting Secretary of the Army had a valid and reasonable request from the junior Senator from Wisconsin not to issue an honorable discharge to Major Peress, that request should not have been ignored. I am very positive about that.

Mr. WELKER. Disregarding the question of treason, I ask the Senator if it is

not a fact that a junior officer or an enlisted man, knowing his superior officer, whether he be a general, a major, or a corporal, was in fact suppressing evidence, would be guilty of the crime of conspiracy if he did not make disclosure?

Mr. JOHNSON of Colorado. I do not know about that point of law; but this was a situation in which General Zwicker had orders from his superior officer, as well as Presidential orders, and he gave more weight to them than he did to a committee of the Congress. If that is a crime, if that is suppressing evidence, if that is wrong, the Senator from Colorado does not know it to be wrong. I cannot say whether he was guilty of a crime or that he suppressed evidence. I think committees of Congress have every right to call in the superior officers. As a matter of fact, Secretary Stevens stated that any time a committee of the Congress wished to examine the officers who had anything to do with the induction, assignment, promotion, or honorable discharge of Major Peress, it could call them and interrogate them without going to any junior officer. This is my own language; it is not the language of the Secretary of the Army.

Mr. KNOWLAND. Mr. President, I wonder if the Senator from Colorado will yield, without losing his right to the floor?

The PRESIDING OFFICER (Mr. FERGUSON in the chair). Does the Senator from Colorado yield to the Senator from California?

Mr. JOHNSON of Colorado. I yield.

Mr. KNOWLAND. I desire to propound a proposed unanimous-consent request which has been prepared with some modifications, and after considerable consultation among Members on both sides of the aisle. But first I desire to suggest the absence of a quorum, because I feel that, in accordance with the prior discussion, there should be a quorum call in advance of the propounding of the proposed unanimous-consent request.

I should appreciate it if the distinguished Senator from Colorado and the distinguished Senator from Idaho would yield for this purpose, with the understanding that the Senator from Colorado will not lose the floor and can resume his remarks following the action on the proposed unanimous-consent agreement.

Mr. WELKER. The distinguished Senator from Colorado has been a gentleman in this matter. He has been very kind to me.

Mr. JOHNSON of Colorado. I would be glad to lose the floor.

Mr. WELKER. I have only two more questions to ask.

Mr. KNOWLAND. Mr. President, with the understanding that the Senator from Colorado will not lose the floor, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KNOWLAND. Mr. President, I send to the desk a proposed unanimous-consent agreement, which is the same as the one previously requested or suggested by the junior Senator from Wisconsin [Mr. McCARTHY], with the following exceptions: The division of time would start at 10 o'clock tomorrow morning, instead of, as was originally provided, at 3:30 p. m. this afternoon, which was subsequently changed to 7 o'clock this evening. The last sentence, or at least the last part of that sentence, is eliminated, the elimination having been previously agreed to.

I send the proposal to the desk, and ask that the clerk read it in its present form for the information of the Senate. I offer the unanimous-consent request on behalf of the majority and the minority leaders, and after consultation with the distinguished junior Senator from Wisconsin [Mr. McCARTHY]; the chairman of the select committee, the Senator from Utah [Mr. WATKINS], and with other Senators who have been interested in the problem. On that basis I offer it for the consideration of the Senate.

Mr. McCARTHY. Mr. President, will the Senator yield for a question?

Mr. KNOWLAND. I yield.

Mr. McCARTHY. The Senator from California has merely deleted that part of the sentence which it had already been agreed should be stricken out?

Mr. KNOWLAND. That is correct, and the proposal changes the start of the division of time to 10 o'clock tomorrow morning, instead of 7 o'clock tonight.

The PRESIDING OFFICER. The clerk will read the proposed unanimous-consent agreement, for the information of the Senate.

The legislative clerk read as follows:

Ordered, by unanimous consent, that on Wednesday, December 1, 1954, at not later than the hour of 3 o'clock p. m., the Senate proceed to vote, under the limitation of debate hereinafter provided, upon any amendment or motion (including appeals) that may be pending or that may thereafter be proposed to Senate Resolution 301, and upon the final passage of the resolution: *Provided*, That after the said hour of 3 o'clock p. m., debate upon any amendment, motion, or appeal shall be limited to 60 minutes, to be equally divided and controlled, respectively, by the mover of any such amendment, motion, or appeal and Mr. WATKINS of Utah; (2) that on any substitute the debate shall be not exceeding 4 hours, under similar control: *Provided*, That if the Senator from Utah is in favor of any such amendment, substitute, or motion, the time in opposition thereto shall be controlled by the minority leader: *Provided further*, That the time between 10 a. m. Tuesday, November 30, and 3 p. m. Wednesday shall be equally divided and controlled by the majority and minority leaders: *Provided*, That no amendment or motion that is not germane to the resolution shall be received.

The PRESIDING OFFICER. Is there objection?

Mr. HOLLAND. Mr. President, reserving the right to object, I inquire if the provision with reference to the requirement of germaneness is exactly the same as that contained in the formerly offered unanimous-consent request?

Mr. KNOWLAND. The provisions are precisely the same.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request? The Chair hears none, and it is so ordered.

Mr. KNOWLAND. Mr. President, for the information of the Senate, I should like to state that the parliamentary situation is that the Senator from Colorado [Mr. JOHNSON] has the floor. I do not know how many additional questions the Senator from Idaho may wish to ask this evening. I understand he has a few more to propound. If it is agreeable to the Senators, the Senate may continue in session until the Senator from Idaho has concluded asking his questions. I shall then propose a recess until 10 o'clock tomorrow morning.

Mr. NEELY. Mr. President, if any man—

Mr. KNOWLAND. Mr. President, I think the Senator from Colorado has the floor, under the previous unanimous-consent agreement.

Mr. NEELY. Mr. President, I want the floor for 2 minutes in my own right.

Mr. JOHNSON of Colorado. Mr. President, I am willing to yield to the Senator from West Virginia for a question.

Mr. NEELY. I do not wish to ask a question; I desire to have the floor in my own right.

Mr. JOHNSON of Colorado. I yield to the Senator from Idaho.

Mr. WELKER. In view of his years of public service in the Halls of Congress, I should like to ask my distinguished colleague from Colorado whether or not it is his opinion that the rules of the Senate are based upon precedents and the Constitution of the United States?

Mr. JOHNSON of Colorado. I think they are based upon the Constitution of the United States. The Constitution gives the Senate the duty and the responsibility of prescribing its own rules. The Constitution is the basic law governing all procedures in the Senate.

Mr. WELKER. Is the Senator from Colorado familiar with the statement made in my remarks of a few days ago, wherein I brought out the fact that another Senator from Wisconsin was invited to appear before the Privileges and Elections Subcommittee and explain why he made a pro-German speech while we were engaged in war with Germany, in about the year 1917, and that he adamantly refused to appear before that committee?

Mr. JOHNSON of Colorado. I heard the Senator's statement with respect to that matter. With reference to the two cases, the one involving the present junior Senator from Wisconsin [Mr. McCARTHY], who did not appear before the Gillette committee, and the one in which the senior Senator from Wisconsin many years ago, Robert M. La Follette, Sr., did not appear before a certain committee, I understand that the basic setup was entirely different. I do not know. I cannot make a legal argument as to the difference between the two cases.

Mr. WELKER. Is the Senator familiar with the fact that the distinguished senior Senator of yesteryear, Robert M. La Follette, Sr., gave as one

of the basic reasons for refusing to appear before the committee, the fact that he was denied the right of cross examination of his accuser?

Mr. JOHNSON of Colorado. I heard the junior Senator from Idaho make that statement when he addressed the Senate some days ago.

Mr. WELKER. Since many of us have become Members of the Senate long years after those who preceded us and set the precedents and made the rules, and since the rules and precedents were actually thought to be binding, is it not rather unfair for us to pick out of the clear blue sky a proposal which is contrary to a precedent set by such a great and able Senator as Robert M. La Follette, Sr.?

Mr. JOHNSON of Colorado. Robert Marion La Follette, Sr., was a very great Senator, a very great statesman, and a great man. Like all other human beings, he no doubt made his share of mistakes. But the alleged violation by Senator La Follette was not before the select committee. The select committee did not originate any of the charges involving former Senator La Follette. The Senator from Colorado had nothing whatever to do with those charges. He did not make them. The select committee could study and consider only the charges which were before it, and Robert M. La Follette's case was not before it. The mere fact that Robert M. La Follette, the senior Senator from Wisconsin, escaped censure, or escaped any punishment for his behavior, if he did misbehave—and I do not know that he did; I am not alleging that he did; I am not hinting that he did; I do not believe that he violated any law or that he violated the Constitution—and the mere fact that his case was not brought before the Senate, is no responsibility of the select committee. We had nothing whatever to do with that. Two wrongs do not make a right—if in his case there was a wrong.

But the attitude of the junior Senator from Wisconsin toward the Gillette subcommittee and the names he called its members and the things he said about them, were what was before our committee—and not the merits of the Gillette subcommittee hearings. The merits of that matter were not before us. But the matters on which we had to pass were the things the junior Senator from Wisconsin said about the Gillette subcommittee and about its members, in impugning their integrity and calling them various names. Those were the matters which were before us.

Mr. WELKER. The Senator from Colorado did know, did he not, that the junior Senator from Wisconsin [Mr. McCARTHY] was denied the right of cross-examination before the Gillette-Hennings subcommittee?

Mr. JOHNSON of Colorado. Yes; I know he was not granted the right of cross-examination before the Gillette subcommittee. Although I am not versed in the law, I think he should have been given the right of cross-examination in that subcommittee. So I do not uphold the subcommittee's decision regarding that matter. But I do say that the junior Senator from Wisconsin had no right to start calling them names.

Mr. WELKER. It is the opinion of the Senator from Colorado, is it not, that since in earlier days there was no censure resolution against Senators who indulged in violent and contemptuous language, we should ignore those matters, but should let the younger Senators, who have come to the Senate since that time, step into a bear trap? Is that a correct assumption?

Mr. JOHNSON of Colorado. I think each Senate has to meet its own responsibilities. The junior Senator from Idaho [Mr. WELKER] knows the genesis of this entire matter. He knows that three Senators of the United States filed 46 charges, and that the 46 charges were referred to the select committee, with instructions to sift them and hold hearings on them and explore the matter and report to the Senate. That we did, and that was the only thing we had before us. We did not have any other matter before us. I do not believe it was incumbent upon us to search through the records and ascertain whether some other Senator in bygone days had violated the dignity of the Senate and had done something or other which perhaps was censurable. In this case we simply had the 46 charges.

Mr. WELKER. But the select committee was aware, was it not, of the precedents regarding censure, only three of which exist in the Senate, and many in the House of Representatives?

Mr. JOHNSON of Colorado. Yes; in the cases in which there was censure; and in the report we state that our task was not made easier by any clear-cut precedents. As a matter of fact, we did not have any precedents strictly on that point. So that was a handicap to us. We were not complaining, except we mentioned it as a difficulty.

Mr. WELKER. As one of my last questions, let me ask this of the Senator from Colorado: He knows, does he not, that Senator Robert M. La Follette, Sr., was called before a standing committee of the United States Senate, to hear charges, in much the same way that the charges against the junior Senator from Wisconsin [Mr. McCARTHY] were referred to the select committee?

Mr. JOHNSON of Colorado. I heard the Senator from Idaho say so; and whatever he says is a fact, I believe to be a fact. The Senator from Idaho has told us that he looked up that matter, and he has given the information to the Senate; and I took it on full faith, as being a fact.

However, I simply wish to say that, as I recall, Senator Robert M. La Follette, Sr., said something very uncomplimentary of Senator Kellogg of Minnesota. The Senate did not do anything about that at the time. The Senate certainly could have done something about it, but the Senate did not do so. So that matter was not before our select committee.

Now, the Senator from Idaho brings up the question of a speech Senator La Follette made; I think the Senator from Idaho said it was a pro-German speech.

Mr. WELKER. An alleged pro-German speech.

Mr. JOHNSON of Colorado. I am glad the Senator from Idaho uses the word "alleged," and says it was an al-

leged pro-German speech. I think the speech was made before the United States declared war on Germany.

Our select committee had before it a charge based on something uncomplimentary which had been said about General Marshall. I know it was my position, as a member of the select committee, that the committee must not do anything which would place a curb upon free speech in the United States Senate. It was my position that the charge that uncomplimentary things had been said about General Marshall should not be regarded by us as a basis for censure of any Senator.

If Senator La Follette made a speech about Germany, and if it appeared to some that it might be a speech friendly to Germany, my position is that he had every right in the world to make the speech; in fact, he had a duty to make the speech, if that was what he believed; and he should not be censured for making a speech of that sort. Otherwise, where does free speech in the United States Senate go? It goes right out the window, and then there is no such thing as free speech in the Senate.

So, I think there may be a great deal of difference between the La Follette case and the McCarthy case, as regards the Gillette subcommittee.

Mr. WELKER. Let me ask my friend, the Senator from Colorado, whether it is a fact that he knows that many people throughout the Nation, and, in fact, many Members of the United States Senate feel that the junior Senator from Wisconsin had a right to interrogate General Zwicker as he did, and had a right to complain about the Gillette-Hennings subcommittee? In that case, then, in view of the premise the Senator from Colorado previously has laid down, what are we going to do about free speech?

Mr. JOHNSON of Colorado. In reply, let me say that, as I believe Oliver Wendell Holmes once said, no one has a right to enter a theater and yell "Fire" when there is no fire. I do not believe free speech can be exercised to that extent.

The Senate has rules by which all Senators must abide. Those rules give to the Senate a certain dignity which it is necessary for the Senate to have. So all Senators must abide by and observe those rules.

I think the junior Senator from Wisconsin had every right to interrogate vigorously and firmly General Zwicker, but I do not think the Senator had a right to abuse him. However, I think the evidence shows very clearly that the junior Senator from Wisconsin did abuse General Zwicker.

Mr. WELKER. Does the Senator from Colorado agree with many of the Senators who have spoken in the course of this debate, when they have said that two wrongs do not make a right?

Mr. JOHNSON of Colorado. I believe that is so.

Mr. WELKER. Has not the Senator from Colorado heard rule XIX of the Senate violated many times on the floor of the Senate? Of course, when a Senator violates that rule, he is merely required to take his seat; and thereupon it

is customary for another Senator to move that the Senator who was required to take his seat may be allowed to proceed in order. That merely means, does it not, that on the floor of the Senate, where Senators have immunity, we are trying to preserve the right of free speech? Is that a correct assumption?

Mr. JOHNSON of Colorado. That is a correct analysis, as I understand the rules of the Senate and the duties of Senators. A Senator can be called to order if he uses certain language toward his colleagues or toward Members of the other House.

Mr. WELKER. Inasmuch as we have immunity on the floor of the Senate, I ask the Senator if it is not a fact that we are protected here in the sacred confines of this great body? When a man makes statements off the floor of the Senate, statements which are derogatory to a Senator or to any other person, he is then subject to civil liability in the form of damages, and in many cases to prosecution for criminal libel or slander. That is correct; is it not?

Mr. JOHNSON of Colorado. I think that is correct, but that is not the situation we are facing at the present time. The words which were spoken about the Senator from New Jersey [Mr. HENDRICKSON] were with reference to his conduct as a member of a Senate committee, an assignment which the Senate gave him, and which he fulfilled. I presume he fulfilled it with great competence, because we know that is the way he proceeds with everything. At any rate, he fulfilled it.

Mr. WELKER. I agree with the Senator.

Mr. JOHNSON of Colorado. However, when his character is impugned, and when unworthy things are said about him, it becomes the business of the Senate to defend him. He is an official of the Senate. He was laboring under the directions of the Senate, and we have every right to protect him.

Mr. WELKER. Does the Senator agree with me that, whether or not we like the junior Senator from Wisconsin, many Senators have said things about the junior Senator from Wisconsin and the conduct of his committee—whether that conduct be right or wrong—that are three times as derogatory as any of the things which we have heard the junior Senator from Wisconsin say in my 4 years in the Senate?

Mr. JOHNSON of Colorado. I think many unkind things have been said about the junior Senator from Wisconsin, both on the floor of the Senate and elsewhere. However, the select committee did not have those charges before it. The select committee had 46 specific charges, and we were instructed by the Senate itself to explore those charges and to submit a report. We followed those instructions to the best of our ability. We did not go beyond those 46 charges. We did not expand our assignment in any way. We reported nothing which did not relate to something which had been referred to us in a Senate resolution.

Mr. WELKER. Will the Senator agree with me that perhaps we should

establish a committee to educate and lecture all young Senators who are so naive as was the junior Senator from Idaho, who came here basing his conduct and his activity—and he hopes justly so—upon the great precedents of this august body from yesteryear?

Mr. JOHNSON of Colorado. I think it is unfortunate that Senators are showing less respect for their fellow Senators than they did a few years ago. Referring to Senators in the second person is not dignified, in my judgment. I think they should refer to one another as, for example, "the junior Senator from Idaho" or "the senior Senator from Colorado." They should not be addressed in the second person. Formal language should be used, and that is in accordance with the rules of the Senate. I regret that Senators are falling into the bad habit of not living up to the rules of the Senate with respect to matters involving the dignity of the Senate. I regret that that is happening. I can see a great change occurring in the Senate, in the matter of dignity. Senators who have been Members of this body for any great length of time must notice the great change which has come over the United States Senate.

Mr. WELKER. Mr. President, I ask unanimous consent to make an observation lasting not to exceed half a minute, in order that I may pay my profound respects to my distinguished friend, the senior Senator from Colorado.

The PRESIDING OFFICER (Mr. CASE in the chair). Does the Senator from Colorado yield for that purpose?

Mr. JOHNSON of Colorado. I am glad to yield, and I hope I may lose the floor by yielding, because I wish to yield the floor.

The PRESIDING OFFICER. If the Senator from Colorado wishes to yield the floor he may do so, and the Chair will recognize the Senator from Idaho.

Mr. WELKER. Mr. President, I wish to say to my distinguished friend from the neighboring State of Colorado that I profoundly appreciate his honesty and fairness in answering my interrogations. I shall always hold him in the highest esteem, regardless of the outcome of the case before us, which is unfortunate not only for my friend from Colorado, but for the Senate as a whole.

I wish for my friend the senior Senator from Colorado and his lovely wife, whom we know so well, everything that is good in life. Ed JOHNSON's heart is as big as the heart of a bull elephant. He would never intentionally do anything to harm a human being.

Mr. JOHNSON of Colorado. Mr. President, I thank the Senator for his very generous statement. I appreciate it more than I can express. I am sure the Senator from Idaho knows in what high regard and esteem I hold him. I thank him for what he has said.

Mr. NEELY. Mr. President, if any man should ever become curious to know what Oliver Goldsmith meant when he wrote, in the *Deserted Village*—

Where village statesmen talked with looks profound,
And news much older than their ale went round.

Let him read the proceedings of the United States Senate in the CONGRESSIONAL RECORD for today.

Mr. President, I improve this opportunity to join in the complimentary remarks just made about the distinguished Senator from Colorado. The recollection of my service with him in this body will be to me—

The rainbow to the storms of life,
The evening beam that smiles the clouds away
And tints tomorrow with prophetic ray.

RECESS

Mr. KNOWLAND. Mr. President, pursuant to the unanimous-consent agreement heretofore entered into, I move that the Senate stand in recess until 10 o'clock a. m., tomorrow.

The motion was agreed to; and (at 7 o'clock and 28 minutes p. m.) the Senate took a recess, the recess being, in accordance with the order previously entered, until tomorrow Tuesday, November 30, 1954, at 10 o'clock a. m.

SENATE

TUESDAY, NOVEMBER 30, 1954

(Legislative day of Monday, November 29, 1954)

The Senate met at 10 o'clock a. m., on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

O God, in whose strong hands are the threads of every life, again we turn un-filled to Thee. Back of all our thinking and striving we are conscious of something divine and eternal that haunts us and will not let us go—something at work behind our fallible minds; sometimes in the stillness we hear it like soft bells at evening pealing; sometimes in hours of mystic insight we feel it and, rising above the trifles which clutter our days, our hungry hearts cry out, "Nearer, my God, to Thee, nearer to Thee." If that petition is but answered in our wayward lives and really, in spirit, we draw near to Thee, we know that always brings us nearer to our fellows.

In these stern, strange times in which our lot is cast, take us as we are, we pray Thee, with doubtings and longings, so often frustrated and thwarted; and even with what is imperfect and broken, through us make Thy purposes prevail for all mankind. We ask it in the Redeemer's name. Amen.

THE JOURNAL

On request of Mr. KNOWLAND, and by unanimous consent, the reading of the Journal of the proceedings of Monday, November 29, 1954, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting